

First Special & Organizational Meeting
January 4, 2016

The First Special and Organizational Meeting of 2016 was called to order by the Legislative Clerk at 9:00 A.M.

The following County Legislators were present:

DISTRICT 1
Richard L. Huttleston

DISTRICT 5
VACANT

DISTRICT 2
Martha C. Sauerbrey

DISTRICT 6
Dale N. Weston

DISTRICT 3
Michael Roberts

DISTRICT 7
William H. Standing, III
Ed Hollenbeck

DISTRICT 4
Loretta A. Sullivan
Tracy Monell

There were 17 people in attendance.

The Clerk asked Legislator Standing to have a moment of Prayer. "Lord, we thank you for our many blessings and we ask for your wisdom as we conduct the business of the citizens of the County of Tioga."

Legislator Standing led all Legislators and those in attendance in the Pledge of Allegiance.

County Clerk Andrea Klett swore in Legislators Huttleston, Monell, Sauerbrey, and Sullivan, Sheriff Gary Howard, Coroner Robert Williams, and Coroner Ryan Kline.

The Clerk announced that the first order of business was the election of a Chair. Legislator Hollenbeck nominated Legislator Sauerbrey, seconded by Legislator Monell. Legislator Monell moved to close the nominations, seconded by Legislator Hollenbeck. On roll call vote all members voted Aye and the Clerk cast one ballot and Legislator Sauerbrey was appointed Chair of the Tioga County Legislature for a one year term.

County Clerk Andrea Klett swore Legislator Sauerbrey in as Chair of the Tioga County Legislature for 2016.

Chair Sauerbrey spoke. "Happy New Year everybody. As you can see, we are nothing without the staff to keep us on line and doing things right according to the law. First of all, I want to thank my fellow Legislators for your support again. Many of us have been working together for close to 10 years and after a while we get to know each other pretty well, and I hope that we will continue in the future this year to continue with new energy and new ideas for the County.

"Upcoming in the near future we have a couple of projects that we have to attend to. We will continue to work on locating our Mental Health Services, that has to be done the beginning of this quarter. We are going to talk and meet with the Town and Village leaders about the rising demolition costs, that is a goal. Lastly and unfortunately, we have the unpleasant duty of, well pleasant but the reason is unpleasant, of appointing a position to Legislator for the Village of Waverly because we lost our dear friend, Ray Case. That is on the plan for the first quarter of this year. I think we are going to have a good year and we are going to have a good productive year, keeping costs down and running Government. Thank you again."

The Chair announced the next order of business was the election of a Deputy Chair. Legislator Roberts nominated Legislator Weston, seconded by Legislator Hollenbeck. Legislator Roberts moved to close the nominations, seconded by Legislator Hollenbeck. On roll call vote all members voted Aye and the Chair cast one ballot and Legislator Weston was appointed Deputy Chair of the Tioga County Legislature for a one year term.

County Clerk Andrea Klett swore Legislator Weston in as Deputy Chair of the Tioga County Legislature for 2016.

The Chair called for nominations for County Attorney. Legislator Sullivan nominated Judith Quigley, seconded by Legislator Hollenbeck. Legislator Sullivan moved to close the nominations, seconded by Legislator Monell. On roll call vote all Legislators voted for Judith Quigley as County Attorney and the Chair cast one ballot and Judith Quigley was appointed County Attorney for a three-year term.

The Chair called for nominations for Legislative Clerk. Legislator Monell nominated Maureen Dougherty, seconded by Legislator Hollenbeck. Legislator Monell moved to close the nominations, seconded by Legislator Sullivan. On roll call vote all Legislators voted for Maureen Dougherty as Legislative Clerk and the Chair cast one ballot and Maureen Dougherty was appointed Legislative Clerk for a three-year term.

The Chair called for nominations for Budget Officer. Legislator Sullivan nominated Rita Hollenbeck, seconded by Legislator Hollenbeck. Legislator Monell moved to close the nominations, seconded by Legislator Hollenbeck. On roll call vote all Legislators voted for Rita Hollenbeck as Budget Officer and the Chair cast one ballot and Rita Hollenbeck was appointed Budget Officer for a three-year term.

The Chair called for nominations for Public Defender. Legislator Monell nominated George Awad, seconded by Legislator Hollenbeck. Legislator Monell moved to close the nominations, seconded by Legislator Hollenbeck. On roll call vote all Legislators voted for George Awad as Public Defender and the Chair cast one ballot and George Awad was appointed Public Defender for a three-year term.

County Clerk Andrea Klett swore in Judith Quigley, County Attorney, Maureen Dougherty, Legislative Clerk, Rita Hollenbeck, Budget Officer, and George Awad, Public Defender for three year terms.

The Chair called for nominations for Public Information Officer. Legislator Monell nominated Douglas Barton, seconded by Legislator Hollenbeck. Legislator Monell moved to close the nominations, seconded by Legislator Sullivan. On roll call vote all Legislators voted for Douglas Barton as Public Information Officer, and the Chair cast one ballot and Douglas Barton was appointed Public Information Officer for a one year term.

The Chair called for nominations for Republican Majority Leader. Legislator Monell nominated Legislator Roberts, seconded by Legislator Sullivan. Legislator Hollenbeck moved to close the nominations, seconded by Legislator Sullivan. On roll call vote all Legislators voted for Legislator Roberts as Republican Majority Leader, and the Chair cast one ballot and Legislator Roberts was appointed Republican Majority Leader for a one year term.

Chair Sauerbrey asked if there were any disclosures to be made.

Legislator Standinger stated, "I have none".

Legislator Sullivan stated, "I would like to disclose that my husband is the Director of the County Weights and Measures".

Legislator Weston stated, "I have none".

Legislator Hollenbeck stated, "I have none".

Legislator Huttleston stated, "I have a real estate appraisal business and I do no appraisals for Tioga County or any appraisals that the County is involved with".

Legislator Monell stated, "I have none".

Legislator Roberts stated, "I have none".

Legislator Sauerbrey stated, "I have none".

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: LEGISLATIVE WORKSESSION COMMITTEE

RESOLUTION NO. 1-16 TRIPS AUTHORIZED

RESOLVED: That the Chair and the Clerk of the County Legislature, the County Attorney, and County Legislators be, and they hereby are, authorized to make such trips as their duties may require and that their actual and necessary expenses for travel, meals and lodging incurred on such trips be a County charge.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Roberts and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 2-16 DESIGNATION OF OFFICIAL DEPOSITORIES

RESOLVED: That, pursuant to the powers vested in this Legislature by Section 212 of the County Law, as amended, the following Banks within New York State be, and they hereby are designated as depositories for the deposit of all monies

received by the County Treasurer, to an amount not to exceed the sum set opposite the name of each Bank as follows:

JP Morgan Chase Bank	\$30,000,000
Chemung Canal Trust Company	\$30,000,000
Citizens Bank, N.A.	\$30,000,000
Community Bank, N.A.	\$30,000,000
First Niagara Bank, N.A.	\$30,000,000
M&T Bank	\$30,000,000
Tioga State Bank	\$30,000,000
National Bank and Trust Company, N.A.	\$30,000,000

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Roberts and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: LEGISLATIVE WORKSESSION COMMITTEE

RESOLUTION NO. 3-16 DESIGNATE OFFICIAL NEWSPAPERS

RESOLVED: That the Tioga County Courier and the Morning Times are hereby designated official newspapers for the publication of all local laws, notices and other matters required by law to be published pursuant to County Law §214, Subd. 2; and be it further

RESOLVED: That the Press and Sun Bulletin, a daily newspaper, is hereby designated as the official newspaper for purposes of publishing all local laws,

notices and other matters required by law to be published at such times that there is insufficient time to publish in the above two newspapers.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Roberts and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: LEGISLATIVE WORKSESSION COMMITTEE

RESOLUTION NO. 4-16 *DESIGNATION OF NEWSPAPER FOR
REPUBLICAN PARTY*

RESOLVED: That the Morning Times is hereby designated as the newspaper published in the County of Tioga for the Republican Party to publish the Election notices issued by the Secretary of State, and to publish the official canvass pursuant to County Law §214, Subd. 1.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Roberts and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: LEGISLATIVE WORKSESSION COMMITTEE

RESOLUTION NO. 5-16 *DESIGNATION OF NEWSPAPER FOR
DEMOCRATIC PARTY*

RESOLVED: That the Tioga County Courier is hereby designated as the newspaper published in the County of Tioga for the Democratic Party to publish the Election notices issued by the Secretary of State, and to publish the official canvass pursuant to County Law §214, Subd. 1.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Roberts and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: LEGISLATIVE WORKSESSION COMMITTEE

RESOLUTION NO. 6-16 SET SALARY OF CHAIR

RESOLVED: That the salary of the Chair of the Tioga County Legislature be set at \$33,067 per year, which includes the salary received as County Legislator of \$10,225 and an additional \$22,842 to serve as Chair.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Roberts and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: LEGISLATIVE WORKSESSION COMMITTEE

RESOLUTION NO. 7-16 FIX DATES AND TIMES OF
TIOGA COUNTY LEGISLATIVE
MEETINGS

RESOLVED: That the Tioga County Legislature during 2016 shall meet regularly in the Edward D. Hubbard Auditorium of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York at 12:00 P.M. on the Tuesday following Committees which are held during the first full work week of the month; and be it further

RESOLVED: That the, March, June, September and December 2016 Legislative meetings shall be held at 6:00 P.M.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Roberts and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: ADMINISTRATIVE SERVICES

RESOLUTION NO. 8-16 APPOINTMENT OF
ADMINISTRATIVE CORONER

WHEREAS: The Tioga County Coroners have selected an Administrative Coroner for 2016; and

WHEREAS: Such Administrative Coroner will perform the supervisory duties of managing their budget, paying the bills, and various office functions of the Coroner's office; and

WHEREAS: The Administrative Coroner will have no supervisory authority over the other Coroners; therefore be it

RESOLVED: That W. Stewart Bennett, Tioga County Coroner, has been selected by the four duly elected County Coroners to be designated as the Administrative Coroner for 2016 and be given a stipend of \$3,000.00 as set forth in the County budget.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 10-16 *APPOINT DIRECTORS
SOIL & WATER CONSERVATION
DISTRICT*

RESOLVED: That Legislators Dale Weston and Tracy Monell are hereby appointed Directors of the Tioga County Soil and Water Conservation District for a one year term of January 1, 2016 through December 31, 2016; and be it further

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Roberts and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 11-16 *ANNUAL REVIEW OF PROCUREMENT POLICY*

WHEREAS: General Municipal Law §104-b requires an annual review of Tioga County's procurement policy and procedures; now therefore be it

RESOLVED: That the Tioga County Legislature affirms its annual review of its Procurement Policy.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Roberts and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: LEGISLATIVE COMMITTEE

RESOLUTION NO. 12-16 *AUTHORIZE SALARY OF 3rd ASSISTANT
DISTRICT ATTORNEY
DISTRICT ATTORNEY'S OFFICE*

WHEREAS: Legislative approval is required to authorize the salary of an appointment to a position designated as non-union; and

WHEREAS: A vacancy currently exists for the position of 3rd Assistant District Attorney; and

WHEREAS: The District Attorney has identified an appropriate candidate with prior experience within a District Attorney's Office; therefore be it

RESOLVED: That Tioga County District Attorney is hereby authorized to appoint Kristen Grabowski to the position of 3rd Assistant District Attorney at an annual, non-union salary of \$30,576.00 effective January 4, 2016.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Roberts and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 9:28 A.M.

*First Regular Meeting
January 12, 2016*

The First Regular Meeting of 2016 was held on January 12, 2016 and was called to order by the Chair at 12:03 P.M. Six Legislative members were present, Legislators Monell and Sullivan being absent.

Chair Sauerbrey asked Legislator Standinger to have a moment of prayer. "Lord, we thank you that we live in a free Country and we ask your guidance as we conduct the business of the citizens of this County."

Legislator Standinger led all Legislators and those in attendance in the Pledge of Allegiance.

Chair Sauerbrey asked for a unanimous motion for the following recognition resolution, seconded unanimously and carried.

Chair Sauerbrey read the following recognition resolution recognizing Raymond P. Case Posthumously and presented to his widow, Joan Case.

REFERRED TO:	LEGISLATIVE WORKSESSION
RESOLUTION NO. 13-16	<i>RECOGNITION RESOLUTION RECOGNIZING RAYMOND P. CASE POSTHUMOUSLY</i>

WHEREAS: Ray Case passed away on December 8, 2015; and

WHEREAS: The Tioga County Legislature would like to posthumously recognize Mr. Case for his years of dedicated service as a Tioga County Legislator; and

WHEREAS: Ray was appointed to the position of Tioga County Legislator on September 11, 2012, replacing Andrew Quinlan, was successfully reelected in 2015 and served on the Legislature for three years; and

WHEREAS: Ray served as Chair of the Economic Development & Planning Committee during his tenure and also served as a Committee member on the Information Technology, Administrative Services, and Health & Human Services Committees; and

WHEREAS: Ray was extremely dedicated and loyal in the performance of his duties and responsibilities as a Legislator; and

WHEREAS: Ray is survived by his wife Joan and their blended family of 7 children and 15 grandchildren; now therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude and recognize Ray Case posthumously for his years of dedicated service to Tioga County as a Tioga County Legislator; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to the family of Ray Case.

ROLL CALL VOTE

Unanimously Yes – Legislators Standinger, Weston, Hollenbeck, Huttleston, Sauerbrey and Roberts.

No – None.

Absent – Legislators Monell and Sullivan.

RESOLUTION ADOPTED UNANIMOUSLY.

Chair Sauerbrey spoke. “Ray was Deputy Chair and helped me in making a lot of decisions, which I appreciate very much.”

Aaron Gowan, Treasurer of the Industrial Development Agency (IDA) read and presented a recognition resolution regarding Raymond P. Case to his widow, Joan Case.

“I am a member of the Tioga County IDA and I served with Ray Case, and I would like to read a resolution from the Tioga County IDA.

“Resolution recognizing Raymond P. Case’s dedicated service to Tioga County.

“WHEREAS: Raymond P. Case was appointed to the position of Board Member of the Tioga County Industrial Development Agency on March 1, 2014; and

“WHEREAS: Raymond P. Case faithfully volunteered his time and was dedicated and loyal in the performance of his duties and responsibilities, thereby earning the respect of his colleagues and peers throughout Tioga County; and

“WHEREAS: Raymond P. Case passed away on December 8, 2015 while serving on the Tioga County Industrial Development Agency Board of Directors; therefore be it

“RESOLVED: That the Tioga County Industrial Development Agency Board of Directors on its own behalf as well as on the behalf of the citizens of Tioga County express sincere gratitude to Raymond P. Case for his dedicated and loyal service to the residents of Tioga County; and be it further

“RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to Ray Case’s family and loving wife Joan Case.

“I want to personally thank Joan for having been able to sit by Ray for a couple of years, I enjoyed it. He was a great guy.”

Joan Case spoke. “Thank you. He was so proud of this community. He would be so pleased. Thanks.”

Betsy Knapp of the Employee Recognition Committee presented the Employee of the year 2015 to William Ostrander, GIS Manager.

“I serve on the Employee Recognition Committee and I have the privilege of honoring our Tioga County Employee of the year for 2015, Bill Ostrander. First we would like to thank the Legislature for continuing their support of our program.

“I have a little bio on Bill. Congratulations Bill, GIS Manager for being selected Tioga County Employee of the year for 2015. Bill Ostrander began his career with Tioga County on July 16, 2007 as the County’s Geographic Information Systems Manager. As Tioga County’s GIS Manager, Bill is responsible for the collection of digital geographic information, which can be used for making complex interactive maps. Map making and usage has always been a critical component of many departments throughout the County and in the last 10 years digital mapping tools have become prevalent. Deploying them effectively requires someone with skilled in both the tools themselves and how they can be used to solve the myriad of problems different departments face. In this capacity, Bill has proven to be an invaluable resource for nearly all county departments, findings ways in which the county’s investments in these tools provide more effective and efficient ways to manage information. His efforts have saved the county in both time and dollars, and provide resources for decision making at many levels in the community.

“Through these efforts, Bill has made Tioga County a leader in GIS capabilities in New York. Bill is also generous with his knowledge, assisting neighboring communities and counties in their efforts to set up and use their tools as effectively as Tioga does. Bill lives in Elmira with his wife Joan. He is an active bird watcher and has participated in numerous bird counts. It is not unusual for Bill to travel to different States to go on bird hikes or birding

expeditions. Bill and Joan also like spending time at their family farm in Pennsylvania.”

Doug Camin, Information Technology Director spoke. “Bill I just want to take a moment to say congratulations and thank you for your efforts and commitment to the County, and the work that you do. The award is well deserved and well earned.”

Bill Ostrander spoke. “I said my flowery speech last month, but I do want to thank again the Legislature for all their support, for my Supervisor. Both the past and present Supervisors have been very supportive. All of the people in the IT Department that I work with, my co-workers and all the other departments I get to work with. I am just having fun here and getting paid, so that is great. I also want to thank the Employee Recognition Committee because they do a lot of work to keep this program going and make the selections, and make those difficult choices, and I am going to experience that. I am getting involved with that committee tomorrow.”

Chair Sauerbrey spoke. “I just wanted to add Bill, Loretta was going to be here to speak on your behalf, but she was called out. Everybody loves Bill, the work that you do, and we hope that you will continue and stay with us a very long time. Thanks Bill.”

Legislator Standinger read and presented the following Proclamation regarding National Radon Action Month to Lisa McCafferty, Public Health Director.

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: Radon is a naturally-occurring, colorless and odorless radioactive gas that is the second leading cause of lung cancer in the United States, and the leading cause of lung cancer among nonsmokers; and

WHEREAS: One in fifteen homes across the United States has elevated radon levels; and

WHEREAS: New Yorkers are encouraged to protect their families from the serious health risks associated with radon by taking measures to reduce elevated radon levels if found in their homes; and

WHEREAS: Inexpensive at-home radon test kits easily test for the naturally occurring, colorless, odorless radioactive gas; and

WHEREAS: the Tioga County Department of Public Health's Healthy Neighborhoods Program offers outreach and educational efforts to help combat the lung cancer risk posed by elevated levels of indoor radon gas; and

WHEREAS: National Radon Action Month is an opportunity to educate individuals on the available measure to reduce radon; therefore

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of January 2016 as

NATIONAL RADON ACTION MONTH

and urges all residents to take steps to have their homes tested for radon and educate themselves, their families, and the community about the dangers of radon gas.

Lisa McCafferty, Public Health Director spoke. I just want to thank the Legislature for this declaration. It is very important because in Public Health we think in terms of prevention and return on investment, and the return on investment for radon exposure is significant, so it is well worth it for everyone especially in the Eastern states like New York to have just a simple little radon test done in their home, and you would be amazed at what it can do for you in long term effects and savings for everybody in terms of healthcare costs and just society. Thank you very much."

There was no privilege of the floor.

Legislator Weston made a motion to approve the minutes of December 15, 2015, seconded by Legislator Hollenbeck, and carried.

Chair Sauerbrey made the following appointment to Cornell Cooperative Extension for a one year term for 2016.

Legislator William Standinger

Chair Sauerbrey made the following appointment to the Information Technology Steering Committee effective January 13, 2015:

Public Health Representative

Chair Sauerbrey announced the 2016 Standing Committees. "Regarding Standing Committees of 2016, I have made some decisions and some changes

to those committees. They are the following: Dale Weston will be taking over Chairmanship of Economic Development & Planning. Tracy Monell will head the Finance Committee. Ed Hollenbeck will be the Chair of Personnel. There will be further changes as we go, but that will come after we have secured a new Legislator."

**STANDING COMMITTEES OF THE COUNTY LEGISLATURE
OF THE COUNTY OF TIOGA FOR 2016**

	Chairman			
1. County Clerk, Historian, Real Property Veterans/Elections,	Huttleston	Sullivan	VACANT	Standingger
2. Economic Development/ Planning/Tourism/ Agriculture	Weston	Roberts	Hollenbeck	VACANT
3. Finance/Legal & Safety	Monell	All Legislators		
4. Information Technology	Sullivan	VACANT	Monell	Huttleston
5. Legislative Worksessions/ Legislative support	Sauerbrey	All Legislators		
6. Health & Human Services	Standingger	Sullivan	VACANT	Monell
7.Public Safety/ Probation & DWI	Weston	Hollenbeck	Roberts	Standingger
8.Public Works/ Capital Projects	Roberts	Sullivan	Huttleston	Weston
9.Personnel/ADA	Hollenbeck	VACANT	Weston	Standingger

Chair Sauerbrey stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 14-16 *APPOINT MEMBERS
FISH & WILDLIFE
MANAGEMENT BOARD*

WHEREAS: The Board terms for Elected Official Representative and Sportsman Member on the Fish & Wildlife Management Board have expired; and

WHEREAS: Dale Weston, Tioga County Legislator has expressed an interest to continue to serve as the Elected Official Representative to the Fish and Wildlife Management Board; and

WHEREAS: William J. Woods, Jr. has expressed an interest to continue to serve as the Sportsman Member to the Fish and Wildlife Management Board; therefore be it

RESOLVED: That Dale Weston, Tioga County Legislator, be appointed as the Elected Official Representative to the Fish and Wildlife Management Board for a two-year term through December 31, 2017 and William J. Woods, Jr. be appointed as the Sportsman Member to the Fish and Wildlife Management Board for a two-year term through December 31, 2017.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Hollenbeck, Huttleston, Sauerbrey and Roberts.

No – None.

Absent – Legislators Monell and Sullivan.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 15-16 *APPOINT MEMBER TO THE TIOGA COUNTY
INDUSTRIAL DEVELOPMENT AGENCY (TCIDA)*

WHEREAS: Pursuant to §856(2) of the General Municipal Law the members of the Tioga County Industrial Development Agency (TCIDA) serve at the pleasure of the Legislature without a term until they either resign or are replaced by the Legislature; and

WHEREAS: The Legislature feels that it is important to have legislative representation on the IDA Board; and

WHEREAS: With the passing of Legislator Case there is now a vacancy on the Tioga County Industrial Development Board of Directors; and

WHEREAS: Legislator Sauerbrey has expressed a desire to serve on the Tioga County Industrial Development Board of Directors; therefore be it

RESOLVED: That Legislator Sauerbrey be and hereby is appointed to the Tioga County Industrial Development Board of Directors in place of Legislator Case effective January 13, 2016.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Hollenbeck, Huttleston, Sauerbrey and Roberts.

No – None.

Absent – Legislators Monell and Sullivan

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 16-16 *ERRONEOUS ASSESSMENT*
TOWN OF OWEGO

WHEREAS: An application for corrected tax roll for property No. 12265, assessed to Mark & Amy Stromberg on the 2016 tax roll of the Town of Owego indicates that a SCAR decision reducing the assessment from \$109,200 to \$67,500 was not received in time to change the assessment before tax rolls and bills were printed; be it therefore

RESOLVED: That a new 2016 tax bill be issued by the Town of Owego Tax Collector to Mark & Amy Stromberg for property no. 12265 as follows:

	<u>Bill Property #12265</u>	<u>NEW Bill Property #12265</u>
County	1,224.56	756.94
Recycle	56.57	34.97
Townwide	116.21	71.83
Part Town	312.57	193.21
Owego Fire	<u>239.85</u>	<u>148.26</u>
	\$1,949.76	\$1,205.21

RESOLVED: That the erroneous town tax of \$163.74 be charged back to the Town of Owego; and the erroneous fire tax of \$91.59 be charged back to the Owego Fire District; and be it further

RESOLVED: That the erroneous solid waste tax of \$21.60 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$467.62 be charged to the proper accounts in the records of the County Treasurer.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Hollenbeck, Huttleston, Sauerbrey and Roberts.

No – None.

Absent – Legislators Monell and Sullivan

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 17-16

*CALLING ON THE STATE OF NEW YORK TO
RESTORE FUNDING PARITY BETWEEN THE
CAPITAL PLANS OF THE METROPOLITAN
TRANSPORTATION AUTHORITY (MTA) AND
THE NY STATE DEPARTMENT OF
TRANSPORTATION*

WHEREAS: Governor Andrew Cuomo and Mayor De Blasio recently announced an agreement to jointly subsidize the Metropolitan Transportation Authority's

(MTA) nearly \$11 billion funding gap for its 2015-19 five-year capital program; and

WHEREAS: As part of this agreement, the Governor is committing \$8.3 billion in state resources to cover the MTA plan's multi-year deficit; and

WHEREAS: While we may agree that this vital investment in downstate transit is needed, the state has yet to develop a new Department of Transportation 5-year Capital Plan designed to assess current conditions and determine investments needed to provide for the future needs of a modern, safe, reliable and efficient multimodal transportation system; and

WHEREAS: The enactment of the FAST Act, a fully funded five-year authorization of federal surface transportation programs that provides long-term federal funding predictability, should now facilitate the state to develop and fund a Transportation 5-Year Capital Plan; and

WHEREAS: Locally-owned roads and bridges account for 87 percent of the State's 110,000 miles of roadways and 50 percent of the State's 18,000 bridges and are responsible for a vast system of aging culverts. These locally-owned transportation facilities are deteriorating at a rapid rate as counties continue to struggle to find adequate funding for their maintenance and replacement; and

WHEREAS: Three of the last four DOT/MTA five-year capital programs were virtually identical in size; and

WHEREAS: For nearly two decades, through 2009, the parity agreement was honored and both five-year capital programs were similar in size as well as adopted within a month of each other. It is necessary to once again restore parity between the programs; and

WHEREAS: According to a 2014 Comptroller's report, thirty four percent (34%) of bridges are deficient and forty-eight percent (48%) of road pavements in the state are rated fair to poor and getting worse; therefore be it

RESOLVED: That the Tioga County Legislature calls upon Governor Cuomo and our State Legislative Delegation to work with our County and other local governments in order to develop and fully-fund a 5-Year Capital Plan that will provide the necessary and proper funding to New York's counties by substantially increasing CHIPS and Marchiselli funding and establishing a 5-Year State Aid to Local Bridge and Culvert Program to give them the ability to adequately maintain their infrastructure; and be it further

RESOLVED: That restoring parity between the Department of Transportation's (DOT) highway and bridge Five-Year Capital Program and the MTA's Capital Program will assure each program is funded at a \$2.1 billion level, providing enough resources to help fund the local needs as described above; and be it further

RESOLVED: That the Tioga County Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature and all others deemed necessary and proper.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Hollenbeck, Huttleston, Sauerbrey and Roberts.

No – None.

Absent – Legislators Monell and Sullivan

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 18-16 *AUTHORIZE THE TIOGA COUNTY DEPARTMENT OF PUBLIC WORKS TO USE 2016 CONTINGENCY FUNDS TO HAVE TAITEM ENGINEERING CONDUCT A TECHNICAL ANALYSIS FOR COMBINED HEAT AND POWER SYSTEM FOR THE PUBLIC SAFETY BUILDING*

WHEREAS: The Department of Public Works would like to investigate the feasibility of having Combined Heat and Power (CHP) at the Public Safety Building; and

WHEREAS: CHP is on-site electricity generation that captures the heat that would otherwise be wasted to provide useful thermal energy—such as steam or hot water—that can be used for space heating, cooling, and domestic hot water. Therefore, CHP can achieve efficiencies of over 80 percent, compared to 50 percent for conventional technologies; and

WHEREAS: The Public Safety Building operates 365 days per year and is a critical infrastructure which makes CHP an attractive project for the Public Safety Building; and

WHEREAS: Taitem Engineering has conducted a preliminary study which indicates that a CHP system installed at the Public Safety Building with NYSERDA incentives would have a payback after 4 to 5 years; and

WHEREAS: Taitem Engineering has proposed to conduct a detailed technical analysis study at the cost of \$12,000.00 on the feasibility of said CHP; and

WHEREAS: NYSERDA offers incentives for detailed technical analysis under their FlexTech Program which would provide cost-share of 50% by NYSERDA; and

WHEREAS: Information obtained from said study would also be very helpful in obtaining upcoming grants in 2016-2017; therefore be it

RESOLVED: That the Tioga County Legislature authorize the Department of Public Works to transfer \$6,000.00 from contingency account to Buildings & Grounds Contract Services A1620 540140 and to have Taitem Engineering conduct a feasibility study for a CHP at the Public Safety Building.

Legislator Roberts made a motion to amend the resolution, seconded by Legislator Hollenbeck and amended as follows:

Remove "TO USE 2016 CONTINGENCY FUNDS" in the title

Remove "to transfer \$6,000.00 from contingency account to Buildings & Grounds Contract Services A1620 540140 and" in the Resolved.

ROLL CALL VOTE ON AMENDED RESOLUTION

Yes – Legislators Standinger, Weston, Hollenbeck, Huttleston, Sauerbrey and Roberts.

No – None.

Absent – Legislators Monell and Sullivan

RESOLUTION ADOPTED.

ROLL CALL VOTE ON RESOLUTION AS AMENDED

Yes – Legislators Standinger, Weston, Hollenbeck, Huttleston, Sauerbrey and Roberts.

No – None.

Absent – Legislators Monell and Sullivan

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 19-16 AMEND POLICY 11
TRAVEL POLICY AND PROCEDURES

WHEREAS: Policy 11 Travel Policy and Procedures need to be amended to update Exhibit A Meal Reimbursement Allowances; therefore be it

RESOLVED: That Policy 11 Travel Policy and Procedures be amended to update Exhibit A Meal Reimbursement Allowances as follows:

EXHIBIT A
MEAL REIMBURSEMENT ALLOWANCES

Effective January 1, 2016 Based on GENERAL SERVICES ADMINISTRATION

MEALS			
Location	County	Allowances	Minus 30%
Albany County	Albany	\$59.00	\$41.00
Binghamton/Owego	Broome and Tioga	\$59.00	\$41.00
Buffalo	Erie	\$64.00	\$45.00
Floral Park/Garden City/ Great Neck	Nassau	\$69.00	\$48.00
Glens Falls	Warren	\$64.00	\$45.00
Ithaca/Waterloo/Romulus	Tompkins and Seneca	\$59.00	\$41.00
Kingston	Ulster	\$69.00	\$48.00
Lake Placid	Essex	\$74.00	\$52.00
Manhattan (includes the boroughs of Mahattan, Brooklyn, the Bronx, Queens and Staten Island	Bronx, Kings, New York, Queens and Richmond	\$74.00	\$52.00
Niagara Falls	Niagara	\$59.00	\$41.00
Nyack/Palisades	Rockland	\$64.00	\$45.00
Poughkeepsie	Dutchess	\$64.00	\$45.00
Riverhead/Ronkonkoma/ Melville	Suffolk	\$64.00	\$45.00
Rochester	Monroe	\$59.00	\$41.00
Saratoga Springs/Schenectady	Saratoga and Schenectady	\$64.00	\$45.00

Syracuse	Onondaga	\$59.00	\$41.00
Tarrytown/White Plains/ New Rochelle	Westchester	\$64.00	\$45.00
Troy	Rensselaer	\$64.00	\$45.00
Watertown	Jefferson	\$54.00	\$39.00
West Point	Orange	\$59.00	\$41.00
NYS Counties not listed above		\$51.00	\$36.00
Outside New York State		\$51.00	\$36.00

http://www.gsa.gov/Portal/gsa/ep/contentView.do?contentType=GSA_BASIC&contentId=14235

*****Click on per diem and then click on the State where you are going.
Use the M&IE column for the location
If the location is not shown on the list then the \$51.00 rate applies
You may want to bookmark the above link for easy access in the future

Meal Reimbursement Allowances Breakdown														
Effective 1/1/16 Based on General Services Administration														
	GSA	-30%												
Total	\$51	\$36	\$54	\$39	\$59	\$41	\$64	\$45	\$69	\$48	\$74	\$52	\$74	\$52
Breakfast	\$11	\$8	\$12	\$9	\$13	\$9	\$15	\$10	\$16	\$11	\$17	\$12	\$17	\$12
Lunch	\$12	\$8	\$13	\$9	\$15	\$10	\$16	\$11	\$17	\$12	\$18	\$13	\$18	\$13
Dinner	\$23	\$16	\$24	\$17	\$26	\$18	\$28	\$20	\$31	\$21	\$34	\$23	\$34	\$23
Incidentals	\$5	\$4	\$5	\$4	\$5	\$4	\$5	\$4	\$5	\$4	\$5	\$4	\$5	\$4

And be it further

RESOLVED: That the remainder of Policy 11 shall remain in full force and effect.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Hollenbeck, Huttleston, Sauerbrey and Roberts.

No – None.

Absent – Legislators Monell and Sullivan

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO:

LEGISLATIVE WORKSESSION

RESOLUTION NO. 20-16

AMEND POLICY 23
PURCHASING AND PAYMENT POLICY

WHEREAS: Policy 23 Purchasing and Payment Policy needs to be amended to update the dollar amount of a requisition; therefore be it

RESOLVED: That Policy 23 Purchasing and Payment Policy amend Section VI. Accounts Payable as follows:

Any increase in the dollar amount of a requisition over \$100.00 that has been released for a BPO or PO from the original issue amount will need a Purchase Order Change Order with explanation in Munis, which will go through workflow. The County Auditor will then make a determination to approve said increase or deny.

And be it further

RESOLVED: That the remainder of Policy 23 shall remain in full force and effect.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Hollenbeck, Huttleston, Sauerbrey and Roberts.

No – None.

Absent – Legislators Monell and Sullivan.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: INFORMATION TECHNOLOGY

RESOLUTION NO. 21-16 AMEND POLICY 58
SOCIAL MEDIA USE

WHEREAS: The Tioga County Legislature recently adopted a revised Policy 43 titled Tioga County's Comprehensive Information Security Policy; and

WHEREAS: Other Tioga County policies affected by the change in Policy 43 need to be updated or modified; and

WHEREAS: The Information Technology department has identified changes required in Policy 58 Social Media Use; therefore be it

RESOLVED: That Policy 58 Social Media Use be amended as follows:

Paragraph III.2 – Regulations on Personal Use:

Replace existing language with the following: “All devices provided by Tioga County are the County’s property and shall only be utilized in compliance with the Acceptable Use provisions defined in Policy 43 (IV.E through I)”.

Paragraph IV.8 – Regulations on Use for County Business:

Append the following to existing language: “Passwords utilized must meet minimum requirements defined in Policy 43 VI.A.3” .

Paragraph IV.10 – Regulations on Use for County Business:

Modify existing language to the following: “Departmental use of social media must comply with Policy 43 as well as all applicable Federal, State, and County laws and procedures including, but not limited to copyright, records retention, public records laws, e-discovery, privacy protection laws, fair use and financial disclosure laws, HIPAA and any other applicable laws. Questions are to be referred to the County Attorney.”

And be it further

RESOLVED: That the remainder of Policy 58 Social Media Use shall remain in full force and effect.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Hollenbeck, Huttleston, Sauerbrey and Roberts.

No – None.

Absent – Legislators Monell and Sullivan.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO:

PERSONNEL COMMITTEE
LEGISLATIVE COMMITTEE

RESOLUTION NO. 22–16

*AUTHORIZE REAPPOINTMENT OF
PERSONNEL OFFICER
(PERSONNEL DEPARTMENT)*

WHEREAS: The current 6 year term for Personnel Officer Bethany O'Rourke will expire on March 17, 2016; and

WHEREAS: The County Legislature would like to reappoint Ms. O'Rourke for another 6 year term; therefore be it

RESOLVED: That Bethany O'Rourke is hereby reappointed as Personnel Officer for another 6 year term, which shall cover March 18, 2016 through March 17, 2022.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Hollenbeck, Huttleston, Sauerbrey and Roberts.

No – None.

Absent – Legislators Monell and Sullivan

RESOLUTION ADOPTED.

Legislator Hollenbeck made a motion to have the following late-filed resolution considered, seconded by Legislator Roberts and carried.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 23-16 *ERRONEOUS ASSESSMENT
TOWN OF TIOGA*

WHEREAS: An application for Corrected Tax Roll for the year 2016 indicates that parcel #1036 in the Town of Tioga assessed to Arroyo Family Trust on the 2016 tax roll of the Town of Tioga is erroneous in that the Veterans exemptions were removed in error and the correct taxable value for town and county purposes should be \$6,613; be it therefore

RESOLVED: That a new bill be issued to Arroyo Family Trust by the Town of Tioga Tax Collector as follows:

	<u>Original Bill #37</u>	<u>Corrected Bill #37</u>
County	\$1,118.46	\$ 840.50
Recycle	51.67	38.83
Townwide	440.39	330.94

Tioga Fire	$\frac{105.67}{\$1,716.19}$	$\frac{105.67}{\$1,315.94}$
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And be it further

RESOLVED: That the erroneous town tax of \$109.45 be charged back to the Town of Tioga; and be it further

RESOLVED: That the erroneous solid waste tax of \$12.84 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$277.96 be charged to the proper account in the records of the County Treasurer.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Hollenbeck, Huttleston, Sauerbrey and Roberts.

No – None.

Absent – Legislators Monell and Sullivan

RESOLUTION ADOPTED.

The meeting was adjourned at 12:25 P.M.

Second Regular Meeting
February 9, 2016

The Second Regular Meeting of 2016 was held on February 9, 2016 and was called to order by the Chair at 12:00 P.M. Seven Legislative members were

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

County Clerk Klett swore in Legislator Mullen and Legislator Mullen took his place at the table.

Legislator Standinger read and presented the following Proclamation on Children's Dental Health Month to Lisa McCafferty, Public Health Director.

“In Tioga County there has been a great increase in the dental health of the children as a result of this young lady to my right and I just want to commend her for that.”

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: Dental decay is still the single most common chronic childhood disease; and

WHEREAS: Oral health diseases in children can be quite crippling, leading to delayed speech, low self-esteem, missed school days and overall diminished well-being; and

WHEREAS: Dental decay-causing bacteria can be transmitted from caregiver to child; and

WHEREAS: Proper oral hygiene can prevent dental decay and gingivitis; and

WHEREAS: Preventative care such as routine dental prophylaxis, fluoride supplements and sealants are proven measures that reduce the incidence of oral diseases; therefore

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of February 2016 as

CHILDREN'S DENTAL HEALTH MONTH

and urges all residents to take steps to educate themselves, their families, and the community about the importance of good oral hygiene.

Lisa McCafferty, Public Health Director spoke. Thank you very much for approving this Proclamation and we, speaking on behalf of Public Health of Tioga County, cannot begin to emphasize enough the importance of oral hygiene, especially in children. If we can even start good practice when they are children, as young as age 2, and implicate that so as they grow they have positive dental oral hygiene habits. It is a significant return on investment, especially when you look at emergency room utilizations pertinent to dental related events. Drug seeking, when you talk about prescription drug abuse, you have people in the emergency room because of dental issues, but they are going in to get medications because they do not have dental access. Thank you very much for your support of this important issue.”

Ron Keene had privilege of the floor. “I am Ronald Keene. I am from the Village of Waverly. My purpose of being here is to object to the way you accepted the nominations for the vacancy. First of all, I would like to congratulate Mr. Mullen for getting the position. I was one of the candidates that ran for that position. One thing I would like to bring to your attention is, I do not know whether you realize it or not, but you violated the Constitution of the State of New York. The vacancy can only be filled for the one year and then it has to go up through the next general Election for the seat to be elected. You can appoint up to one year and then it has to go to the next general Election to be fulfilled. If you question me on this, I called up to the New York State Board of Elections. I have the gentleman’s name, Attorney Bryan Quail. I have his telephone number on the top and you can contact him, which I personally did myself.

“I just want to let you know that I am not disappointed in the position, but I am sitting here objecting to the way you handled it. I know you picked a committee and I waited week after week to hear something for an appointment. I was not even given the privilege of coming up for an interview. I really feel this is disgraceful on your behalf or the committee’s behalf for not fulfilling that obligation. I have already talked to four other candidates, capable candidates, and their feelings are the same as mine. We were treated like a piece of you know what. I do not really think that is fair and I think you should have handled it in another way. With that, I am going to give you these copies. If anybody does not know, you better go on line and read what the Constitution of the United States and the Constitution of the State of New York says. I know you have an Attorney here and I am sure she is addressed on this and is aware of it, but what you have done here, you put yourself in a quagmire in reality, what you have done is the requirements or qualification, there is not any. You did not have to have a review.

“The rightful way this should have been handled is that whoever was interested in the position should have done like all the rest of you have done

over the past, is taken a petition out and gotten signatures signed and brought it to your attention. That did not happen, that is the way it should happen. It should not be up to you people to sit here and make the rules and regulations saying this is what we are going to do. It was no surprise to me to find out what you have done. I was upset. The only reason I was upset, I did not get my letter until yesterday and I really find that really offensive that somebody could not take the time, and after all the times I have been up here, and I have been up here to three meetings, and nobody had the nerve to stand up and tell me that you have already chosen somebody until I made a personal telephone call to one of the Legislators to find out that you had picked somebody. I think that was very childish on your behalf. With that, I wish Dennis all the luck in the world. The rest of you, good luck to you and I will see you in the future. Thank you."

Chair Sauerbrey spoke. "Thank you Ron. It is not our habit of responding, but on that technical issue concerning the law, I have asked our Attorney to address that question."

County Attorney Quigley spoke. "I have not looked at this, but from what I am seeing in the Constitution, the Legislature that this Constitution section you are talking to refers to is New York State Legislature. County Law is governed by a different set of laws and one of those things says that County or Supervisors, which is what it is called under County Law or Legislature, can adopt a Local Law for replacement of their own people and many many years ago this Legislature did adopt that Local Law and changed it to provide that they can appoint a person to fill the remainder of the term. Perhaps when you spoke with someone at the State they were not aware that we had in fact adopted a Local Law that changed the State Law that deals with appointment of County Boards of Supervisors."

Ronald Keene spoke. "He was very aware, which I guess there is a Charter, which you do not have, where you are operating under a Local Law, which I explained that to him and he said it does not make any difference. You still have to abide by the Constitution and you did not."

County Attorney Quigley spoke. "This Constitution reference to a Legislature is the State Legislature."

Chair Sauerbrey spoke. "Let me assure you, we did our due diligence. We called the Board of Elections and we have referred to our Attorney. Believe me, we do not want to have to go through this process. This is a sad process losing a Legislator. We would much rather have the people elect them and we hope that next time they will go through that. We do not like to do this. This is unfortunate circumstances."

Legislator Monell made a motion to approve the minutes of January 4 and 12, 2016, seconded by Legislator Mullen, and carried.

Chair Sauerbrey abolished the Explore Long-Term Options for Mental Health Committee effective February 9, 2016.

Chair Sauerbrey stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Chair Sauerbrey announced the following revised Standing Committees of the County Legislature of the County of Tioga for 2016 as follows:

**STANDING COMMITTEES OF THE COUNTY LEGISLATURE
OF THE COUNTY OF TIOGA FOR 2016**

	Chairman			
1. County Clerk, Historian, Real Property Veterans/Elections,	Huttleston	Sullivan	Mullen	Standinger
2. Economic Development/ Planning/Tourism/ Agriculture	Weston	Roberts	Hollenbeck	Mullen
3. Finance/Legal & Safety	Monell	All Legislators		
4. Information Technology	Sullivan	Roberts	Monell	Huttleston
5. Legislative Worksessions/ Legislative support	Sauerbrey	All Legislators		
6. Health & Human Services	Standinger	Sullivan	Mullen	Monell
7. Public Safety/ Probation & DWI	Mullen	Hollenbeck	Weston	Standinger
8. Public Works/ Capital Projects	Roberts	Sullivan	Huttleston	Weston
9. Personnel/ADA	Hollenbeck	Monell	Weston	Standinger

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P LEGISLATIVE COMMITTEE

RESOLUTION NO. 25-16 *RECOMMEND MEMBERS TO THE SUSQUEHANNA
HERITAGE AREA COMMISSION*

WHEREAS: Per resolution 98-15, the Tioga County Legislature resolved that the Economic Development and Planning Committee recommend designees for the Municipal Representative and also the Advisory Board Member on the Susquehanna Heritage Area Commission for the term of office of the County Legislative Chair who appoints said persons; and

WHEREAS: Currently Rebecca Maffei, Tioga County Tourism Office Director, and Bryant Myers, Economic Development Specialist have been serving as the two (2) SHA Commission members; and

WHEREAS: Bryant Myers is no longer employed by Tioga County; and

WHEREAS: Brittany Woodburn has been hired to fill the Economic Development Specialist position; therefore be it

RESOLVED: That the Economic Development and Planning Committee recommend Rebecca Maffei, Tioga County Tourism Office Director as the Municipal Representative and Brittany Woodburn, Economic Development Specialist as the Advisory Board member on the Susquehanna Heritage Area Commission for the term of office of the County Legislative Chair who appoints said person.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 26-16

*RE-APPOINT MEMBER TO THE TIOGA
COUNTY LOCAL DEVELOPMENT
CORPORATION (TCLDC)*

WHEREAS: The term of Tioga County Local Development Corporation member, Jon Ward, will expire as of March 31, 2016; and

WHEREAS: Jon Ward has expressed a desire for re-appointment to serve another term; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoint Jon Ward for another three-year term of 4/1/16 – 3/31/19.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. 27-16

*RE-APPOINT MEMBER TO THE TIOGA
COUNTY LOCAL DEVELOPMENT
CORPORATION (TCLDC)*

WHEREAS: The term of Tioga County Local Development Corporation member, Marcia Kiechle, will expire as of March 31, 2016; and

WHEREAS: Marcia Kiechle has expressed a desire for re-appointment to serve another term; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoint Marcia Kiechle for another three-year term of 4/1/16 – 3/31/19.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 28-16 *RE-APPOINT MEMBER TO THE TIOGA
COUNTY LOCAL DEVELOPMENT
CORPORATION (TCLDC)*

WHEREAS: The term of Tioga County Local Development Corporation member, Sandra Layman, will expire as of March 31, 2016; and

WHEREAS: Sandra Layman has expressed a desire for re-appointment to serve another term; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoint Sandra Layman for another three-year term of 4/1/16 – 3/31/19.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Standing moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 29-16 *APPOINT AND EXTEND YOUTH BOARD MEMBERS
TERMS
YOUTH BUREAU*

WHEREAS: The Tioga County Youth Board is organized as an advisory body to the Tioga County Youth Bureau; and

WHEREAS: The purpose of the Youth Board is to carry out the provision of Section 95 of the General Municipal Law of the State of New York and Resolution No. 140 of 1981 of the Tioga County Legislature; and

WHEREAS: The Tioga County Youth Board Bylaws provides for representatives to the Youth Board be appointed by the County Legislature; and

WHEREAS: The County Legislature previously appointed members to the Youth Board under Resolution No. 221-14 and vacancies exist; and

WHEREAS: The County Legislature previously appointed members to the Youth Board under Resolution No. 58-12 and terms have expired; now therefore be it

RESOLVED: That the following listed representatives be appointed as a member of the Tioga County Youth Board with the corresponding term of office consistent with the requirement of staggered rotation; and that the following listed representatives terms be extended as follows:

	<u>TERM</u>
Whitney Bauer (Replacing Petrea Rae)	01/01/2016 – 12/31/2019
Jessica Hobler (Extending Term)	01/01/2016 – 12/31/2019
Kathleen Clark (Extending Term)	01/01/2016 – 12/31/2019

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 30-16

*AUTHORIZE DRAW-DOWN FOR
FINANCIAL MANAGEMENT ACCOUNTING
SYSTEM (FMAS)*

WHEREAS: Tioga County established a Financial Management Accounting System (FMAS) Capital Reserve Account; and

WHEREAS: Tioga County is incurring expenses from Tyler Technologies, Inc. for services to implement the Financial Management Accounting System; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chief Accountant/Budget Officer and Tioga County's Project Manager to transfer funds out of the Financial Management Accounting System (FMAS) Capital Reserve Account H878.08 into the dedicated FMAS Capital Account H1325.21 for 2016 as a drawdown to fund the following:

Tyler Services (implementation days, implementation costs, purchase of modules, dedicated consultants, Tyler Project Manager, forms, travel and hotel expenses, third party hardware and services, recurring fees, etc.)

2016 Drawdown	\$300,000.00
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ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO:

PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 31-16

*APPROPRIATION OF FUNDS
2015 HOMELAND SECURITY GRANT
MODIFY 2016 BUDGET
EMERGENCY MANAGEMENT*

WHEREAS: The New York State Office of Homeland Security Program (SHSP) has been awarded a grant of \$52,500 (contract #C973950) to the Tioga County Office of Emergency Management; and

WHEREAS: The grant will be used for the Dark Fiber Project which will connect county infrastructures; and

WHEREAS: Appropriation of funds requires legislative approval; therefore be it

RESOLVED: That the 2015 NYS Homeland Security Grant be appropriated as follows:

A3360.433565 Homeland Security 2015 Revenue	\$52,500
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A3360.520130 Homeland Security Grant– Equipment (Not Car)	\$52,500
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And be it further

RESOLVED: That the 2016 Emergency Management budget be modified to reflect the above changes.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO:

PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 32-16

*FUND SHERIFF'S GRANT –NYS CHILD
PASSENGER SAFETY GRANT*

WHEREAS: The Sheriff's Office has been awarded a NYS Child Passenger Safety Grant (CPS-2016-Tioga Co SO-00092-(054) in the amount of \$1,500; and

WHEREAS: This funding now needs to be appropriated; therefore be it

RESOLVED: That the NYS Child Passenger Safety Grant be appropriated as follows:

Expense Account: A3110.520130 Equipment (Not Car) \$1,500

State Aid Revenue Account: A3110.433960 \$1,500

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 33-16

*FUND SHERIFF'S GRANT –NYS
LEGISLATIVE GRANT*

WHEREAS: The Sheriff's Office has been awarded a NYS Legislative Grant (LG15101545) in the amount of \$10,000; and

WHEREAS: This funding now needs to be appropriated; therefore be it

RESOLVED: That the NYS Legislative Grant be appropriated as follows:

Expense Account: A3110.520130 Equipment (Not Car) \$10,000

State Aid Revenue Account: A3110.433952 \$10,000

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 34-16 *FUND SHERIFF'S GRANT –NYS POLICE
TRAFFIC SERVICES GRANT*

WHEREAS: The Sheriff's Office has been awarded a NYS Police Traffic Services Grant (PTS-2016-Tioga Co SO-00117-(054) in the amount of \$12,915; and

WHEREAS: This funding now needs to be appropriated; therefore be it

RESOLVED: That the NYS Police Traffic Services Grant be appropriated as follows:

Expense Account: A3110.510030 Overtime/Other \$12,915

State Aid Revenue Account: A3110.433900 \$12,915

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 35-16 *APPROPRIATION OF FUNDS*
PUBLIC HEALTH

WHEREAS: New York State Child Passenger Safety Program funding has been awarded to the Tioga County Public Health Department; and

WHEREAS: The funding is specifically designated for the purchase of program deliverables; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4012 434012 State Aid – Health Education \$ 7,500

To: A4012 540640 Health Education: Supplies \$ 7,500

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 36-16 *APPROPRIATION OF FUNDS*

PUBLIC HEALTH

WHEREAS: New York State Highway Safety Program funding has been awarded to the Tioga County Public Health Department; and

WHEREAS: The funding is specifically designated for the purchase of program deliverables; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4012 434012 State Aid – Health Education \$ 3,300

To: A4012 540640 Health Education: Supplies \$ 3,300

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 37-16 *TRANSFER OF FUNDS*
 PURCHASE OF EQUIPMENT
 DISTRICT ATTORNEY

WHEREAS: The District Attorney's Office has a need for two (2) outdoor surveillance cameras and software for investigations; and

WHEREAS: The District Attorney's budget does not have funds in their audio visual equipment account; therefore be it

RESOLVED: That the District Attorney be authorized to purchase two surveillance cameras and software and that the following sums be transferred from within the District Attorney's budget to cover the costs of the cameras and software:

From: A1165-540280 Investigations \$782.00

To: A1165-520020 Audio Visual Equipment \$782.00

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Huttleston moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: ADMINISTRATIVE SERVICES

RESOLUTION NO. 38-16 *AUTHORIZATION FOR BOARD OF ELECTIONS
TO APPLY FOR GRANT FOR
COMPACT FLASH CARDS*

WHEREAS: The Federal Help Americans Vote Act (HAVA) of 2006 provided funds to compensate counties for expenses relating to transitioning from Lever to Electronic Voting systems; and

WHEREAS: New York State has held these funds in reserve until all counties had fully transitioned to the Electronic Voting system and just recently all counties complied; and

WHEREAS: The Electronic voting machines having been purchased as part of the Electronic Voting System have gone out of warranty; and

WHEREAS: State regulations require storage of voting information on specially approved compact flash storage cards; and

WHEREAS: Dominion Voting Systems, the machine vendor has offered on the New York State Office of General Services (OGS) contract under Section 22300 (Voting Systems Services and Accessories) for a price of \$75.00 a piece. Tioga County has found the same quality item at another vendor for \$23.89 a piece, resulting in a savings of \$1,328.86; and

WHEREAS: The Tioga County Board of Elections is to receive a 100% reimbursement grant for the cost of the compact flash cards, which will be \$621.14; and

WHEREAS: Tioga County policy is for the Board of Elections to seek permission prior to submitting grant applications; and

WHEREAS: Federal regulations require the county purchase the item prior to reimbursement and submit proof of payment in the grant application; therefore be it

RESOLVED: That the Tioga County Board of Elections be given permission to apply for this grant; and be it further

RESOLVED: That the grant funding be applied as follows:

From: Org A1450 Object 440890-Federal Aid-HAVA- \$621.14

To: Org A1450 Object 540490-Election Expense- \$621.14

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Huttleston moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: ADMINISTRATIVE SERVICES

RESOLUTION NO. 39-16 *AUTHORIZATION FOR BOARD OF ELECTIONS
TO APPLY FOR GRANT FOR AUDIO VISUAL
TRAINING EQUIPMENT*

WHEREAS: The Federal Help Americans Vote Act (HAVA) of 2006 provided funds to compensate counties for expenses relating to transitioning from Lever to Electronic Voting systems; and

WHEREAS: New York State has held these funds in reserve until all counties had fully transitioned to the Electronic Voting system and just recently all counties complied; and

WHEREAS: Under HAVA Title II Section 251 CFDA # 90.401 to which Tioga County is entitled to up to a \$1,897.07 grant, the authorization for which will expire soon; and

WHEREAS: The Tioga County Board of Elections is to receive a 95% reimbursement grant for the cost of an audio-visual equipment setup to facilitate and enhance training of poll inspectors which will be \$1,867.16; and

WHEREAS: Tioga County protocol is for the Board of Elections to seek permission prior to submitting grant applications; and

WHEREAS: Federal regulations require the county purchase the item prior to reimbursement and submit proof of payment in the grant application; therefore be it

RESOLVED: That the Tioga County Board of Elections shall be given permission to apply for this grant; and be it further

RESOLVED: That the grant funding be applied as follows:

From: Org A1450 Object 439060-State Aid Elections \$1,773.80

To: Org A1450 Object 520060-Computer- \$1,867.16

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO:

PUBLIC WORKS
FINANCE

RESOLUTION NO. 40-16

*RE-ESTABLISH PRIOR YEAR
PUBLIC WORKS PROJECTS*

WHEREAS: Prior year Public Works Capital Bridge Projects and Capital Equipment Request need to be re-established for the remaining unspent balance as of year-end 2015 for purchase or completion in 2016; therefore be it

RESOLVED: That the following accounts and amounts be re-established:

<u>Bridge Projects</u>	<u>BIN</u>	<u>Amt to Establish</u>
H5110 54002 H1306 Ellis Creek Road	3334900	\$ 50,000.00
H5110 54002 H1401 Ellis Creek Road	3334880	\$ 452,806.27
H5110 54002 H1408 Coddington Rd	3335100	\$ 758,810.89
H5110 54002 H1409 Glenn Road	3335320	\$ 609,204.89
H5110 54002 H1410 Blewer Road	2218580	\$ 600,000.00
H5110 54002 H1501 Halsey Valley	3334990	\$ 695,240.69
H5110 54002 H1502 Halsey Valley	3335000	\$ 520,000.00
H5110 54002 H1503 Oak Hill Road	3334940	\$ 394,030.00

Capital Equipment

H1620 520923 Standby Generator		\$ 150,000.00
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And be it further

RESOLVED: That any applicable corresponding revenue sources or reserve account funds per prior Resolution 41-15 shall also be re-established in the 2016 modified budget.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE

RESOLUTION NO. 41-16 RE-ESTABLISH PRIOR YEAR GRANT FUNDS

WHEREAS: Prior year Grant Funds need to be re-established for the remaining unspent balance as of year-end 2015 for purchase or completion in 2016; therefore be it

RESOLVED: That the following accounts and amounts be re-established:

<u>ILS GRANT</u>	<u>Amt to Establish</u>
A1173 510010 Full Time Salary	\$ 22,697.96
A1173 510020 Part Time Salary	\$ 22,960.88
A1173 520200 Office Equipment	\$ 1,405.68
A1173 540040 Books	\$ 1,106.06
A1173 540140 Contracting Services	\$ 6,313.83
A1173 540280 Investigations	\$ 1,015.18
A1173 540320 Leased Equipment/Copies	\$ 300.00
A1173 540420 Office Supplies	\$ 3,702.21
A1173 540480 Postage	\$ 100.00
A1173 540620 Software Expense	\$ 3,419.00
A1173 540660 Telephone	\$ 154.11
A1173 540733 Training/All Oher	<u>\$ 3,616.00</u>
Total ILS Grant	\$ 66,790.91
 A1173 430260 State Aid –Indigent Grant	 \$ 66,790.91

Transportation

A5630 540140 Bussing- Contracting Services	\$ 53,945.02
A5630 430901 State Aid - Bussing	\$ 53,945.02

And be it further

RESOLVED: That any applicable corresponding revenue sources shall also be re-established in the 2016 modified budget.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Standing.

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 42-16

*AWARD CONSTRUCTION
HALSEY VALLEY RD. BRIDGES
BIN: 3334990 & BIN: 3335000*

WHEREAS: Tioga County bonded for a program for rehabilitation of various bridges within the County; and

WHEREAS: Funding is available for the construction of the Halsey Valley Rd. Bridges BIN: 3334990 & BIN 3335000; and

WHEREAS: The Commissioner of Public Works received sealed bids on January 08, 2016 and the bids came in to as follows:

Economy Paving	Cortland, NY	\$746,785.00
Procon Contracting	Vestal, NY	\$ 825,000.00
R. DeVincentis Const.	Binghamton,	\$ 821,000.00
Silverline Construction	Burdett, NY	\$ 734,500.00
Vector Construction	Cicero, NY	\$ 786,553.50

And

WHEREAS: McFarland Johnson, Binghamton, NY have completed the review of the bids and finds the low bidder Silverline Construction, Burdett, NY meets all of the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorize awarding the bid to Silverline Construction, Burdett, NY not to exceed \$734,500 to be paid out of Halsey Valley Rd. Bridges account H5110 540002, Project #H1501 and H5110 540002, Project #H1502.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 43-16 ERRONEOUS ASSESSMENT
TOWN OF OWEGO

WHEREAS: An application for corrected tax roll for property No. 10213, assessed to Nancy Briggs on the 2016 tax roll of the Town of Owego indicates that a SCAR decision reducing the assessment from \$177,100 to \$142,000 was not received in time to change the assessment before tax rolls and bills were printed; be it therefore

RESOLVED: That a new 2016 tax bill be issued by the Town of Owego Tax Collector to Nancy Briggs for property no. 10213 as follows:

	<u>Bill Property #10213</u>	<u>NEW Bill Property #10213</u>
County	1,985.99	1,592.38
Recycle	91.74	73.56
Townwide	188.47	151.12
Part Town	506.93	406.46
Owego Fire	388.99	311.89
Lighting 5	<u>65.12</u>	<u>52.21</u>

\$3,227.24

\$2,587.62

RESOLVED: That the erroneous town and lighting tax of \$150.73 be charged back to the Town of Owego; and the erroneous fire tax of \$77.10 be charged back to the Owego Fire District; and be it further

RESOLVED: That the erroneous solid waste tax of \$18.18 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$393.61 be charged to the proper accounts in the records of the County Treasurer.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 44-16

*ERRONEOUS ASSESSMENT
TOWN OF BARTON*

WHEREAS: An application for corrected tax roll for property no. 130 assessed to Tioga County Open Door Mission on the 2016 tax roll of the Town of Barton indicates that the property tax exemption was removed due to a renewal application not being filed in a timely manner; and

WHEREAS: The exemption has been reinstated for parcel no. 130 in the Town of Barton returning the parcel to wholly exempt status; be it therefore

RESOLVED: That a new bill showing a zero amount due be issued to Tioga County Open Door Mission by the Town of Barton tax collector; and be it further

RESOLVED: That the erroneous town tax of \$189.24 be charged back to the Town of Barton; and the erroneous fire tax of \$82.61 be charged back to the Barton Fire District; and be it further

RESOLVED: That the erroneous solid waste tax of \$40.76 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous school tax and interest of \$1,545.61 be charged back to the Waverly School District; and be it further

RESOLVED: That the erroneous county tax and school penalty of \$990.63 be charged to the proper accounts in the records of the County Treasurer.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 45-16

*RESOLUTION TO APPROVE A
MAINTENANCE AGREEMENT
BETWEEN THE TIOGA COUNTY
PROBATION DEPARTMENT AND
AUTOMON TO PROVIDE SOFTWARE AND
MAINTENANCE OF THE CASELOAD
EXPLORER PRODUCT*

WHEREAS: The Legislature approved a contract between Tioga County Probation Department and AutoMon since 2008; and

WHEREAS: AutoMon has submitted their yearly Maintenance Agreement to Tioga County Probation which consists of the base charge of \$3,783.16 plus a fee of \$185.27 per user. Probation has 17 registered users of the software so the total cost for the software for 2016 is \$6,932.75 as of January 2016. Further, it is anticipated that the NYS Office of Governmental Services will approve AutoMon's request for increased costs and that a second voucher for an additional \$140 will be received during the 2016 calendar year ; therefore be it

RESOLVED: That the Probation Director is approved to contract with AutoMon, LLC for software and maintenance costs in 2016 for Caseload Explorer software in the amount of \$6,932.75, upon approval of the County Attorney. Approval is also given to pay a second voucher in 2016 for up to \$140.00 when it is received from the company.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:

LEGISLATIVE WORKSESSION

RESOLUTION NO. 46-16

*RESOLUTION CALLING ON THE
STATE TO DEVELOP A 100 PERCENT
STATE FUNDED INDIGENT LEGAL
DEFENSE SYSTEM AS A WAY TO
PROVIDE MANDATE RELIEF AND
LOWER PROPERTY TAXES*

WHEREAS: The United States Supreme Court held in Gideon v. Wainwright that the right to counsel for one charged with a crime is fundamental and that it is the state's responsibility to supply lawyers for those unable to afford them; and

WHEREAS: In 1965 the State of New York delegated this state responsibility to the counties; and

WHEREAS: The decision to entrench responsibility at the county level in the State of New York has resulted in a system by which the County and local property taxpayers are burdened with the vast majority of the cost of this state responsibility; and

WHEREAS: The shift of costs for this state mandated service has become so imbalanced that the counties of New York now cover more than 80% of the cost burden; and

WHEREAS: Implementation of the constitutional right to counsel under Gideon is a state, not county, obligation; and

WHEREAS: In 2006 the Kaye Commission on the Future of Indigent Defense Services declared that the New York State System of County-Delivered Indigent Services is in crisis and urged the expeditious establishment of an Independent Public Defense Commission; and

WHEREAS: The State of New York and multiple counties are now defendants, and recently entered into a settlement, in the matter of Hurrell-Harring, et al. v. State of New York, a systemic lawsuit similar to many that have been successful across the country seeking to transform the indigent legal defense system; and

WHEREAS: The settlement will have a profound fiscal impact on the state and each and every county therein; and

WHEREAS: The state can both comply with its obligations under the settlement and significantly improve the public defense system by establishing a 100 percent state funded indigent legal defense program; and

WHEREAS: Such a state funded system would relieve the counties of this state of the burden imposed upon them since 1965; and

WHEREAS: Senator John DeFrancisco on January 4, 2016 sponsored a bill that was previously introduced by Assembly Member Patricia Fahy (A.6202B/S.6341), which would require the State, not the counties, to incrementally take over payment for such service; and

WHEREAS: This systematic change would directly lead to improvements to this vital service for residents in need, and provide meaningful fiscal mandate relief for counties and real property taxpayers; and

WHEREAS: The Tioga County Legislature approves of the Bill introduced by Senator John DeFrancisco, entitled "AN ACT to amend the county law and the executive law, in relation to indigent defense services.", and express their support for the actions of Senator John DeFrancisco in sponsoring the Bill; and

WHEREAS: The Tioga County Legislature supports legislation to ensure full state funding for increased county costs related to arraignment at first appearance, or any other state imposed changes to indigent legal services; now therefore be it

RESOLVED: That the Tioga County Legislature calls upon the State of New York and Governor Cuomo to create a 100 percent state funded indigent legal

defense and relieve the counties of this state of the burden imposed upon them since 1965; and be it further

RESOLVED: That the Tioga County Legislature calls upon the State of New York and Governor Cuomo, to support Senator John DeFrancisco and the Bill entitled: "AN ACT to amend the county law and executive law, in relation to indigent defense services"; and be it further

RESOLVED: That the Tioga County Legislature further supports legislation to ensure full state funding for increased county costs related to arraignment at first appearance, or any other state imposed changes to indigent legal services; and be it further

RESOLVED: That the Clerk of the Tioga County Legislature is hereby authorized and directed to forward a certified copy of this Resolution to the Legislature and Boards of Supervisors of each of New York State's Counties, the New York State Association of Counties, Senator John DeFrancisco, Senator Frederick Akshar, and Assemblyman Chris Friend.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PERSONNEL COMMITTEE
HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 47-16 RECLASSIFY, ABOLISH AND CREATE POSITIONS
(PUBLIC HEALTH)

WHEREAS: With the closing of the home care program, the need for a Software Support position is no longer necessary; and

WHEREAS: Since the closing of CHHA, the incumbent of the Software Support Liaison position has assumed other duties, creating a need to change her title; and

WHEREAS: The Personnel Department has determined an appropriate title for the new set of responsibilities is Communication and e-Services Coordinator; and

WHEREAS: To better meet the needs of the department, the Public Health Director would also like to exchange a vacant Public Health Nurse (Grade 15) position for an additional Public Health Educator (Grade 11) position; and

WHEREAS: The net savings of the position changes is over \$6,000; therefore be it

RESOLVED: That the position of Software Support Liaison in the Public Health Department (\$35,746-\$45,746) is reclassified to the title of Communications and e-Services Coordinator (\$39,700 - \$49,700); and be it further

RESOLVED: That Susan Haskett who currently holds the Software Support Liaison position, shall be provisionally appointed to the new Communications and e-Services Coordinator position effective February 15, 2016 at an annual salary of \$45,544; and be it further

RESOLVED: That one full-time position of Public Health Nurse is abolished effective February 10, 2016 and one full-time position of Public Health Educator is created effective February 11, 2016.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Standing moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 48-16 *ABOLISH ONE (1) FULL-TIME
PUBLIC HEALTH ENGINEER/ TRAINEE
POSITION AND CREATE ONE (1) FULL-
TIME SUPERVISING PUBLIC HEALTH
SANITARIAN POSITION
PUBLIC HEALTH DEPARTMENT*

WHEREAS: Legislative approval is required for the abolishment and creation of any new position within Tioga County; and

WHEREAS: A Public Health Engineer/Trainee position, non-Union salary (\$48,048-\$58,048), has been vacant within the Public Health Department since September 2014; and

WHEREAS: Upon review of departmental needs, it has been determined that said vacancy would be better utilized if it was abolished and a Supervising Public Health Sanitarian was created; there be It

RESOLVED: That the vacant Public Health Engineer/Trainee position shall be abolished and a full-time Supervising Public Health Sanitarian position shall be created effective February 10, 2016; and be it further

RESOLVED: That the Supervising Public Health Sanitarian title shall be allocated to CSEA salary grade 12 (\$41,407-42,107).

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Monell made a motion to have the following two-late-filed resolutions considered, seconded by Legislator Hollenbeck and carried.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 49-16 *AWARD INSPECTION SERVICES CONTRACT
TO DELTA ENGINEERS FOR INSPECTION SERVICES
OF THE BLEWER RD BRIDGE
BIN: 2218580*

WHEREAS: Tioga County bonded for a program for rehabilitation of various bridges within the County; and

WHEREAS: Funds are available for the Inspection of these bridges as part of the Bond Issue; and

WHEREAS: The Blewer Rd. Bridge over West Branch Owego Creek (BIN: 2218580) is on the program; and

WHEREAS: Delta Engineers did the design phase for the bridge; and

WHEREAS: The Commissioner of Public Works received a proposal for the inspections services for the Blewer Rd. Bridge BIN: 2218580 in the amount of \$57,100; therefore be it

RESOLVED: That the Tioga County Legislature award the inspection services contract to Delta Engineers, Binghamton, NY 13901 in the amount of \$57,100 to be paid out of Blewer Rd. Bridge account H5110 54002, Project #H1410.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 50-16 APPROVE BOILER REPLACEMENT
AT PUBLIC SAFETY BUILDING AND
REQUEST CONTINGENCY FUNDS

WHEREAS: The Public Safety Building has six boilers; and

WHEREAS: One of the boilers has failed and needs to be replaced; and

WHEREAS: The boiler has to be a certain brand to be compatible with the other boilers; and

WHEREAS: A quote was received to purchase and install the boiler at an estimated cost of \$20,000; therefore be it

RESOLVED: That the Tioga County Legislature authorize the purchase and installation of a new boiler at the Public Safety Building not to exceed \$25,000; and be it further

RESOLVED: That funds be transferred as follows:

FROM: A1990 540715	Contingency Account	\$20,000
H1620 450310	Interfund Transfer from General Operating A Fund	\$20,000
TO: A9950 593715	Transfer to Capital	\$20,000
H1620 521929	Buildings –Boiler	\$20,000

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:26 P.M.

Third Regular Meeting
March 15, 2016

The Third Regular Meeting of 2016 was held on March 15, 2016 and was called to order by the Chair at 6:00 P.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Sullivan to have a moment of prayer. "Heavenly Father, we pray you continue to watch over us as we strive to serve the people of Tioga County. We ask that you guide us and grant us the blessings of wisdom, courage, and understanding so that our actions meet the needs of those we serve. In your son's name hear our prayer."

Legislator Sullivan led all Legislators and those in attendance in the Pledge of Allegiance.

There were 15 people in attendance.

Tara Chilson of the Employee Recognition Committee presented the Employee of the 1st Quarter 2016 to Liz Struble of the Sheriff's Department.

"At this time we would like to thank the Legislature on behalf of the Employee Recognition Committee for your support for this program. Liz was selected as Employee of the 1st Quarter of 2016. She is a Dispatcher at the Sheriff's Department. She started working for Tioga County as a Dispatcher at the Sheriff's Department on May 19, 2002 until September 3, 2004. She left for a short time and returned to the Department as a Dispatcher on October 29, 2006. Liz has a very difficult job. As a Dispatcher, it is her responsibility to handle calls when they come in, calm down the callers who at times are very anxious and agitated, and gather all the important details to pass along to the Deputies. This is a weighty responsibility because one error can put the Deputies in jeopardy.

"Due to the nature of this job, it is easy for others to get frustrated and those frustrations at times are directed at Liz, but she always is polite and calm. Liz is a multitasker, which is a must in Dispatching, gathering information from the caller, entering it into the computer, transmitting information to the Deputies, looking up driver information, assisting coworkers with transmissions and keeping track of the Deputies location to ensure their safety.

"Liz was born on Long Island, New York and lived there for 14 years. She then moved to Barton and attended Tioga Central School. She worked at Hadco/Samina for 27 years. She has been married for 38 years to her husband Charles. She has one stepdaughter and two grandchildren who reside in Florida. Liz enjoys many hobbies, which include gardening, needlework, reading

and shopping. She also loves driving her new Mini Cooper. Liz enjoys spending time with her family and friends. Liz is a great asset to the Sheriff's Department and to the residents of Tioga County. Thank you Liz for your outstanding loyalty to and hard work for the County. Your dedication is appreciated by us all."

Legislator Mullen spoke. "Good evening. It is a unique privilege for me to recognize Liz tonight because for 17 years I was a road trooper here in Tioga County, and I can tell you there is no better friend than for a road trooper or a road deputy or any police officer working a road or a serious incident to have a Dispatcher who is calm, cool and collected and helping you think through a serious incident, and I can tell you it was always a relief. I spent many many evenings in Liz's company where I was in the State Troop car and Liz was at the Dispatch desk at the Public Safety Building, but when you ask Liz to do something for you it got done and if you forgot to do something, you did not really forget because Liz remembered. I can tell you that I have firsthand experience in life and death situations, and the resolution says she is calm, cool, and collected, and that is exactly what she is. She is a professional, she is easy going, and she makes a very difficult job of a law enforcement officer much much easier, and I just want to congratulate on behalf of the County Legislative body and thank you for your hard work and dedication to Tioga County."

Sheriff Howard spoke. "Liz is the calm before the storm and during the storm, and after the storm. She guides everybody through. She knows what to do. She tells us what to do. She tells the Deputies, the Troopers, and all the Police Officers. She is very calm and you never have a problem understanding what she wants you to do. She will tell you. She left us for a little while. I heard she was back. I tracked her down, I begged her to come back, and she did, and I think she is here to stay. We really appreciate her. Tioga County should be very happy and proud to have her as an employee."

Liz spoke. "Thank you, I am very honored to accept this. Thank you very much."

Chair Sauerbrey gave the State of the County Address.

"I am pleased to have this opportunity to tell you about our accomplishments and challenges over the last year and give you a glimpse of the State of the County.

"Change is a part of daily life and last year we lost several leaders and friends. We were saddened by the loss of former Legislators Dom D'Angelo and George Penney; and most recently Legislator Ray Case.

“With the start of a new year we congratulated Bob Woodburn on his retirement and welcomed, County Clerk, Andrea Klett, Department of Health Director Lisa McCafferty and Legislator Dennis Mullen.

“Tioga County is a great place to live and raise a family. We have excellent schools, it's safe, and it's beautiful. This is our home, where we raise our families and hopefully enjoy our grandchildren, but for our children to stay in the area, they need good jobs, decent housing and opportunity.

“In 2015 we celebrated Tioga Downs's approval for the Casino License application; the arrival of a new manufacturing company, Crown Cork and Seal, \$300,000 Main Street Grant for the Village of Waverly; and the ground breaking of Owego Gardens housing project. Tioga County is part of the Southern Tier Regional Economic Development Council. The Council received \$117 million for 100 projects and URI (upstate revitalization incentives) strategies that will benefit Tioga County, as well as the entire Southern Tier.

“Last year we reduced our unemployment rate by 1.1% from the year before. There was over \$318 million in new investment, 813 direct permanent jobs and 1,300 direct construction jobs that were created and/or retained. There has been nearly \$3.7 million in loans and grants made over the last year coupled with over \$230,000 in private investment by our small businesses.

“Our Tioga Business Services Team has been working together to bring jobs to our county, last week over 900 people attended the second annual job fair with over 80 businesses participating. The efforts of the Economic Development and Planning Department, along with our partners, have brought and retained jobs, investment, proper planning, improvements and growth opportunities.

“The Tyler Technologies Financial Management Accounting System (FMAS) Software Project has been the largest and most time consuming project we have taken on in several years, encompassing every county department and requiring a tremendous amount of staff time. All of our departments from DSS, to Board of Elections have been involved in the planning, implementation and training of this financial software project. Financials went live in November, payroll in January and HR is currently underway. This system will create efficiencies that will save us time and provide more accurate timely financial information.

“The IT Department has been involved in the Tyler FMAS Project and will be more so as we complete training and stand alone. They keep our computers running, they manage our communications and much more. Last year we launched a new website which is much easier to navigate and contains more

information. We also installed a new phone system throughout the county. The new phone system allowed DSS to create a call center for the HEAP (Home Energy Assistance Program) department. The HEAP staff now can log into the call center and take calls as they come in rather than only have one phone to answer calls.

“We were successful in updating the County Security Policy and will follow through with the implementation in 2016. The Document Restoration project from the flood of 2011 was finally completed and documents are back on the shelves. Other FEMA projects have been closed out and we expect to finish the rest by the end of the year. The Law Department has been active in all of these projects along with many others including the bidding out of the new Jail Medical and Mental Hygiene Services Contract.

“Since we can’t control Mother Nature, severe summer storms continue to create havoc with culverts and drain pipes and create problems throughout the county. Our Public Works Department addressed those issues and worked with Towns and Villages to get roads and bridges back in shape and safe again. Three bridge projects were completed and the Third and Final Phase of the County Court House Restoration was completed. The Department of Solid Waste continues to provide a safe and economical method for residents to dispose of their waste and to recycle items mandated by State law. As an added bonus more than 800 tons of tires have been cleaned up over an eight year period through a special donation from Upstate Shredding-Ben Weitsman.

“There are approximately 4,000 veterans in Tioga County and our Veterans Services Department is here to serve the needs of all our Tioga County Veterans. Last year, with the help of our Real Property Department, the Legislature adopted a new local law, approving the Gold Star Veteran Exemption for parents who have lost a child who died in the line of duty serving for the United States Military.

“We continue to provide quality services to the citizens of Tioga County through the Mental Health Department and the Department of Social Services. Our staff is committed to delivering services for people who need help, be it counseling for alcohol or drug addiction, providing food for the table, housing, or help with family matters. We provide programs to insure that the children of Tioga County have enough to eat and a safe place to live.

“Recently we heard from a mom who was part of the Healthy Neighborhoods Program; a personal health, and safety program administered by the County Health Department. Last year she had been given two carbon monoxide detectors that were installed in her home. As it turns out, during the night a detector alerted them that the house had been filled with Carbon

Monoxide and they evacuated the home. She called the next day to express her thanks for saving herself and her five children.

“Our Public Safety team continues to keep us safe from danger and disaster. The Sheriff's Department, Fire Bureau, and Emergency Management Office work together to insure our well-being. Increased drug activity has taken up additional county services and concern. Deaths by heroin overdoses have increased. This is an addiction that affects people from every walk of life. We just held a meeting to find out how the heroin epidemic has affected Tioga County and what resources we have to deal with the problem. Needless to say our resources are few and the questions how to fight it are many. We have joined the rest of the country in the fight against heroin and other drug issues.

“Planning for the future is a big challenge because we are never sure what is going to happen to the financial markets, job scene or if there will be another costly disaster. We love the low gas prices, however it has translated into a decrease in sales tax income for the county of 3.4% from 2014.

“So let's talk about the Tax Cap. Everyone loves the idea of keeping taxes low, including the Legislature. The public perception is that the cap is at 2%, but the calculations presented by the State include Pilot Receivables, previous year rollover funds and the Inflation Factor, our estimated levy is 1.5% or less. It's great for the taxpayers, but with very limited fund balance to add to the budget it's a challenge to fund day to day operations without cutting services.

“For the last ten years, Tioga County has kept its Property Tax Rate at an average of 2%. 83% of the County Budget is designated for mandated programs. When State Lawmakers enacted the property tax cap they said mandate relief would follow. They capped Medicaid and reformed the pension system, but they did nothing to lower mandates for the counties. I believe we have done all we can to keep our taxes down and now we need the state to keep their promise and give us mandate relief.

“As we set goals for the future they are pretty basic! We will finish up with our financial software project, continue to provide needed services, work for new jobs, and keep taxes low. That is what you have told us you want and that is what we intend to do.

“As Chair of the Legislature I am at the county every day and I'm able to be part of our county operations and see how our employees go about their daily business. Our successes during the past year are largely due to the hard work and dedication of our county Department Heads and their staff. I am

extremely proud of all of our employees, I'm proud of the work that we do here, of the services we provide to the citizens of Tioga County.

"Thank you for this opportunity to address you today.

"Each year I ask each department to provide an Annual Report to the Legislature noting their accomplishments. These reports are very informative and contain a lot of data. I encourage you to go on the legislative page on the county website and review the reports that the departments have presented."

Chair Sauerbrey noted the following Proclamation on Public Health Week.

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: The people of Tioga County benefit every day from the efforts of the public health workforce when eating at restaurants, drinking tap water, and learning about prevention of deadly diseases; and

WHEREAS: Public health activities protect Tioga County residents from infectious and chronic diseases, environmental and workplace hazards, unintentional injuries and violence; and

WHEREAS: Educating people about the benefits of healthy behaviors is an essential element in attaining good health and preventing premature illness and death; and

WHEREAS: Public health efforts alone cannot accomplish the goal of a healthier Tioga without cooperation and partnership with communities and individuals; and

WHEREAS: Each of us needs to do our part by taking personal responsibility to improve behaviors by not using tobacco, making time for regular, safe physical activity and eating more fruits and vegetables in order to prevent disease; and

WHEREAS: National Public Health Week provides an opportunity for our county to learn about public health concerns and success stories that are vital to healthy communities, such as immunizing against infectious disease, maintaining good nutritional standards, ensuring safe living conditions, preventing lead poisoning and providing good prenatal care; and

WHEREAS: The residents of Tioga County recognize the essential role public health plays in their everyday lives; therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim the week of April 4-10, 2016 as

PUBLIC HEALTH WEEK

And urges all residents to take steps to educate themselves, their families, and the community about the role of public health in our community.

Legislator Standinger read and presented the following Proclamation on National Poison Prevention Week to Marilyn Reynolds, Supervisor for the Public Health Department.

County of Tioga EXECUTIVE PROCLAMATION

WHEREAS: Household and environmental poisons pose risks to Americans of all ages, while children under age 6 account for half of all cases of poison exposure; and

WHEREAS: More than 90 percent of poisoning deaths occur among people over the age of 20; and

WHEREAS: Most poisonings take place at home where cleaning products, cosmetics, and other chemicals are stored; and

WHEREAS: Everyone should also be aware of local environmental poisons, including plants, insects, and berries; practice safe food preparation and handling to avoid food poisoning; and guard against carbon monoxide by installing detectors for this colorless, odorless gas; and

WHEREAS: Lead poisoning, which is an increased level of lead in the blood, is especially dangerous for children; lead is found in drinking water from lead pipes and lead-contaminated paint, dust and soil are commonly found in older homes, specifically pre-1978 built homes; and

WHEREAS: If you suspect someone has been poisoned, fast action is essential, immediately call the toll-free Poison Help line at 1-800-222-1222. Do not wait for signs of poisoning; therefore

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the week of March 20-26, 2016 as

NATIONAL POISON PREVENTION WEEK

and urges all residents to take steps to educate themselves, their families, and the community about the importance of poison prevention.

Legislator Standinger spoke. "I just want to say a couple of things about poison. I know that there has been a lot of media attention lately about lead poisoning of children and I would like to say that I commend the Health Department for being on top of it. At our Committee meeting they gave us a dissertation on the steps they are taking to ensure that water is tested properly, and I commend them for that."

Marilyn Reynolds, Supervisor for the Public Health Department spoke. "On behalf of the Public Health Department, I would like to thank the Legislators for their recognition and support of poison prevention awareness month and prevention week. There are many household and environmental poisons, and we are especially aware of lead, especially with it being in the new so much. Thank you very much for recognizing and supporting this."

There was no privilege of the floor.

Legislator Sullivan made a motion to approve the minutes of February 9, 2016, seconded by Legislator Monell, and carried.

Chair Sauerbrey stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 51-16

*ERRONEOUS ASSESSMENT
TOWN OF BARTON*

WHEREAS: An application for corrected tax roll for property no. 12206 assessed to Andrea Kovacs on the 2016 tax roll of the Town of Barton indicates that this parcel is invalid due to Errors of Essential Fact – improvement is present on different parcel; and

WHEREAS: A 2016 tax bill was issued for this invalid parcel #12206 erroneously; be it therefore

RESOLVED: That the erroneous town tax of \$127.50 be charged back to the Town of Barton; and the erroneous fire tax of \$55.65 be charged back to the Barton Fire District; and be it further

RESOLVED: That the erroneous solid waste tax of \$27.46 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous school tax and interest of \$586.91 be charged back to the Waverly School District; and be it further

RESOLVED: That the erroneous county tax and school penalty of \$635.60 be charged to the proper accounts in the records of the County Treasurer.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 52-16 *ERRONEOUS ASSESSMENT*
TOWN OF OWEGO

WHEREAS: An application for corrected tax roll for property No. 11700, assessed to Sanmina Corp on the 2016 tax roll of the Town of Owego indicates that the 2015/16 school taxes were paid to OASD through a Pilot payment from TCIDA but were not posted by the OASD; and

WHEREAS: The 2015/16 school taxes were returned to the County Treasurer's office as unpaid and the taxes and penalties in the amount of \$39,340.22 were relieved to the Sanmina Corp 2016 Town & County bill in error; be it therefore

RESOLVED: That a new 2016 tax bill be issued by the Town of Owego Tax Collector to Sanmina Corp for property no. 11700 as follows:

	<u>Bill Property #11700</u>	<u>NEW Bill Property #11700</u>
County	15,014.35	15,014.35
Recycle	693.58	693.58
Townwide	1,424.88	1,424.88
Part Town	3,832.47	3,832.47
OASD School	39,340.22	-
Owego Fire	<u>2,940.80</u>	<u>2,940.80</u>
	<u>\$63,246.30</u>	<u>\$23,906.08</u>

And be it further

RESOLVED: That the erroneous school tax and interest of \$36,766.56 be charged back to the Owego Apalachin School District; and be it further

RESOLVED: That the erroneous county penalty of \$2,573.66 be charged to the proper accounts in the records of the County Treasurer.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Huttleston moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: COUNTY CLERK COMMITTEE

RESOLUTION NO. 53-16 *AUTHORIZE INCREASE IN ADMINISTERING MORTGAGE TAX BY THE TIOGA COUNTY CLERK AS APPROVED BY NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE*

WHEREAS: Section 262 (Article 11) of the New York State tax law mandates that recording officers are entitled to receive for the county all necessary expenses for the purpose of administration of the mortgage tax in their office and

approved allowance by the New York State Department of Taxation and Finance; and

WHEREAS: The Tioga County Clerk has requested proper compensation that are reasonable and necessary allowances to cover county expenditures for collection, disbursements of the mortgage tax; and

WHEREAS: The Tioga County Clerk's office has submitted to the New York State Department of Taxation and Finance a mortgage expense request of \$114,882.00 per year; and

WHEREAS: The Tioga County Clerk has been authorized by New York State Department of Taxation and Finance to increase the mortgage expense to be \$114,882.00 for the period of April 2016 – April 2017; be it therefore

RESOLVED: That the County Clerk be authorized to collect or withhold from its disbursements in twelve (12) equal monthly installments of \$9,573.50 at a total annum amount of \$114,882.00.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ED&P COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 54-16 *AUTHORIZE TRANSFER OF FUNDS FOR PURCHASE
OF CHAIRS FOR THE ECONOMIC DEVELOPMENT &
PLANNING CONFERENCE ROOM*

WHEREAS: The Economic Development & Planning Conference Room has no chairs for guest seating; and

WHEREAS: The Economic Development and Planning expense account does not have an existing account for the purchase of these chairs; and

RESOLVED: That the Director of Economic Development & Planning be authorized to purchase the guest chairs for the Economic Development and Planning Conference Room and that the following sums be transferred for this purchase:

From: ED&P Account A6422 - 540420 \$200.00

To: ED&P Account A6422 - 520070 \$200.00

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 55-16 *AUTHORIZE TRANSFER OF FUNDS FROM
SOFTWARE RESERVE FOR SHERIFF'S OFFICE
FOR CIVIL OFFICE SOFTCODE SOFTWARE*

WHEREAS: Tioga County established a Software Reserve fund; and

WHEREAS: Tioga County adopted the 2016 budget that included software needs for the Sheriff's Office for the Civil Office called softcode; and

WHEREAS: There are funds available for software; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chief Accountant/Budget Officer to transfer funds in the amount of \$44,000 out of the Software Reserve Account H 387804 into the dedicated H3110-520620 Sheriff Software Expense to fund the purchase of softcode for the Sheriff's Civil Office.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 56-16 *APPROPRIATION OF FUNDS*
MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene (TCMH) has been allocated additional pass through federal aid funding for the purpose of Alcohol and Substance Abuse Prevention; and

WHEREAS: TCMH has contracted with Tioga County Council on Alcoholism and Substance Abuse (TCCASA) to provide these services to Tioga County residents; and

WHEREAS: TCMH will incur no local share increase, yet this will require an appropriation of funds into the proper account codes; and

WHEREAS: The appropriation of funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4211 444860 Federal Aid Council on Alcoholism \$571.00

To: A4211 540590 Alcohol & Drug Services: Services Rendered \$571.00

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 57-16 *MODIFY 2016 BUDGET
EMERGENCY MANAGEMENT*

WHEREAS: The Emergency Management Office has budgeted \$10,000 for Hyper-Reach, the County's emergency notification system; and

WHEREAS: This money was erroneously budgeted under an inactive Homeland Security grant account A3357.540140; and

WHEREAS: In order to process this bill for payment, it is necessary to transfer the \$10,000 to an active account A3640.540660; therefore be it

RESOLVED: That the 2016 Emergency Management budget be modified as follows:

Transfer \$10,000

FROM: A3357.540140 Homeland Security 2012 \$10,000

TO: A3640.540660 EMO Telephone \$10,000

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 58-16 *HOME RULE REQUEST IN SUPPORT OF S6664/A7897A: AN ACT TO AMEND CHAPTER 412 OF THE LAWS OF 1990 RELATING TO AUTHORIZING THE COMMISSIONER OF ENVIRONMENTAL CONSERVATION TO LEASE A PORTION OF STATE LAND TO PUBLIC TELEVISION STATION WSKG, IN RELATION TO LEASING SUCH LAND, TOWER AND ASSOCIATED UTILITY LINES TO THE TIOGA COUNTY BUREAU OF FIRE, THE NORTHERN TIOGA EMERGENCY MEDICAL SERVICES, THE NEWARK VALLEY CENTRAL SCHOOL DISTRICT, THE BERKSHIRE FIRE DEPARTMENT AND THE TOWN OF BERKSHIRE HIGHWAY DEPARTMENT*

WHEREAS: Section 1 amends Chapter 412 of the laws of 1990 relating to authorizing the Commissioner of Environmental Conservation to lease a portion of state land to public television station WSKG, in relation to leasing such land, tower and associated utility lines to the Tioga County Bureau of Fire, the Northern Tioga Emergency Medical Services, the Newark Valley Central School District, the Berkshire Fire Department, and the Town of Berkshire Highway Department. The lease of such land and television translator system shall be made upon such terms and conditions as the commission determines, provided the lease does not exceed twenty years; and

WHEREAS: The radio tower site was leased from 2004-2014 by the Berkshire Emergency Squad from the Commissioner of Environmental Conservation and is the primary radio tower for Newark Valley Central School, the Northern Tioga EMS and the Berkshire Fire and Highway Department. The Tioga County Bureau

of Fire will be a new lease holder and will integrate the county's fire and EMS services through the radio tower. Northern Tioga Emergency Medical Services, the Newark Valley Central School District, the Berkshire Fire Department and the Town of Berkshire Highway Department will also continue to use the radio tower; and

WHEREAS: State Legislative authority is needed to authorize the Commissioner of Environmental Conservation to lease state land, associated utility lines and television translator system to the Tioga County Bureau of Fire and other occupants; now therefore be it

RESOLVED: That the Tioga County Legislature hereby requests the enactment of Senate bill number S6664 and Assembly bill number A7897A entitled "An Act to Amend Chapter 412 of the laws of 1990 relating to authorizing the Commissioner of Environmental Conservation to lease a portion of state land to public television station WSKG, in relation to leasing such land, tower and associated utility lines to the Tioga County Bureau of Fire, the Northern Tioga Emergency Medical Services, the Newark Valley Central School District, the Berkshire Fire Department, and the Town of Berkshire Highway Department".

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 59-16

AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS THEREFORE

WHEREAS: A project for the Tioga County Bridge Preventive Maintenance Program (FFY15), PIN 9753.97 (the "Project") is eligible for funding under Title 23

U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% non-Federal funds; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Preliminary Engineering/Design and Construction and Construction Supervision and inspection work; therefore be it

RESOLVED: That the Tioga County Legislature hereby approves the above-subject project; and be it further

RESOLVED: That the Tioga County Legislature hereby authorizes the County of Tioga to pay in first instance 100% of the Federal and non-Federal share of the cost of the Construction and Construction Supervision and Inspection work for the Project or portions thereof; and be it further

RESOLVED: That the sum of \$200,000 is hereby appropriated from D5110 (Org) 540050 (Object) and made available to cover the cost of participation in the above phase of the Project; and be it further

RESOLVED: That in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Tioga County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED: That the Chair of the County of Tioga Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and /or Marchiselli Aid on behalf of the County of Tioga with the New York State Department of Transportation in connection with the advancement of approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of Federal-aid and State-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED: That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED: That this Resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 61-16 *AUTHORIZE THE SUBMISSION OF EMPG16
GRANT APPLICATION
EMERGENCY MANAGEMENT*

WHEREAS: The Office of Homeland Security and Emergency Services will be issuing a grant to the Tioga County Office of Emergency Management in the amount of \$24,151. The grant will be used to offset operational costs; and

WHEREAS: The Tioga County Emergency Management Office has received funds through the Emergency Planning Grant (EMPG) for several years; and

WHEREAS: Tioga County protocol is to seek permission prior to submitting said application which is due by the end of March; therefore be it

RESOLVED: That the Tioga County Emergency Management Office be given permission to apply for this grant.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 62-16

*AUTHORIZE THE SUBMISSION OF
HOMELAND SECURITY GRANT
APPLICATION
(SHSP 16 and SLETPP 16)
EMERGENCY MANAGEMENT
SHERIFF'S OFFICE*

WHEREAS: The Office of Homeland Security has issued a grant of \$70,000 to Tioga County. The grant will be used for the County's "Dark Fiber" project. Once the grant is awarded, 75% (\$52,500) will be appropriated to Emergency Management (SHSP16); and 25% of the monies (\$17,500) will be appropriated to the Sheriff's Office (SLETPP16); and

WHEREAS: The Tioga County Emergency Management Office has to submit an application for this funding by March 29, 2016; and

WHEREAS: Tioga County protocol is to seek permission prior to submitting said application; therefore be it

RESOLVED: That the Tioga County Emergency Management Office be authorized to apply for this grant.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: LEGAL/FINANCE

RESOLUTION NO. 64-16 *AUTHORIZE EXECUTION OF
MODIFIED 2015 COOPERATIVE
AGREEMENT BETWEEN THE LAW
DEPARTMENT AND DSS*

WHEREAS: The 2015 Cooperative Agreement between the Law Department and DSS was submitted to the New York State Office of Temporary and Disability Assistance and the Office of Children and Family Services for approval; and

WHEREAS: The Office of Children and Family Services requested a change in the wording of the agreement; now therefore be it

RESOLVED: That the Legislature authorizes and directs the Chair to execute the modified 2015 Cooperative Agreement between the Law Department and DSS; and be it further

RESOLVED: That the modified 2015 Cooperative Agreement between the Law Department and DSS shall be submitted to the New York State Office of Temporary and Disability Assistance and the Office of Children and Family Services for approval.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standingier.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: LEGAL/FINANCE

RESOLUTION NO. 65-16

*AUTHORIZE EXECUTION OF
COOPERATIVE AGREEMENTS
BETWEEN THE LAW DEPARTMENT,
ITCS, SHERIFF, PUBLIC HEALTH, DSS,
AND MENTAL HYGIENE*

WHEREAS: Tioga County is implementing a Direct Charge Pilot Program that will maximize State reimbursement for legal and IT expenses while eliminating the administrative burden of charging all departments for those expenses; and

WHEREAS: The Law Department and ITCS will directly charge the Department of Social Services, Public Health and Mental Hygiene for its services and support pursuant to Cooperative Agreements; and

WHEREAS: The Sheriff's Department will directly charge the Department of Social Services for security services, escort, protection and transport services; therefore be it

RESOLVED: That the Legislature authorizes and directs the Chair to execute Cooperative Agreements between the Law Department and ITCS and DSS, Public Health and Mental Hygiene; and be it further

RESOLVED: That the Legislature authorizes and directs the Chair to execute a Cooperative Agreement between the Sheriff's Department and DSS; and be it further

RESOLVED: That the Cooperative Agreements between DSS and the Law Department, ITCS and Sheriff shall be submitted to the New York State Office of Temporary and Disability Assistance and the Office of Children and Family Services for approval.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: INFORMATION TECHNOLOGY

RESOLUTION NO. 66-16 *AUTHORIZE CONTRACT FOR NEW
INTERNET AND PHONE SERVICE*

WHEREAS: Tioga County routinely engages in multi-year contracts in order to achieve savings on telephone and Internet services; and

WHEREAS: The current contract for Internet and phone services ends in March 2016; and

WHEREAS: The Information Technology department has evaluated options from multiple vendors; and

WHEREAS: Time Warner Cable has submitted a proposal that reduces costs by approximately 33% from the current contract (\$3,200 to \$2,100 per month); and

WHEREAS: The Information Technology Department has recommended the County sign this contract; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to sign the associated contracts for this service after review by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standingier.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 67-16 *REAPPOINT MEMBER
BOARD OF ETHICS*

WHEREAS: Gwen Kania's appointment on the Board of Ethics is due to expire March 31, 2016; and

WHEREAS: Gwen Kania has agreed to serve another term on the Board of Ethics; therefore be it

RESOLVED: That Gwen Kania, Chair nomination, is hereby appointed to the Board of Ethics for a term of April 1, 2016 through March 31, 2019.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 68-16 *APPOINT MEMBERS ALTERNATIVES TO INCARCERATION ADVISORY BOARD*

RESOLVED: That the following members be appointed to the Alternatives to Incarceration Advisory Board for the following terms:

	TERM
Ex-Offender	4/1/16-3/31/17
Crime Victim	4/1/16-3/31/17
State Certified Provider of Alcohol and/or Substance Abuse Treatment	4/1/16-3/31/17

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standingger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Standingger.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 69-16 *APPROVE THE BUREAU OF FIRE TO
CONTRACT WITH DR. JOHN P. ZEVAN
AS MEDICAL DIRECTOR
TO OVERSEE THE BUREAU OF FIRE
EMS TRAINING PROGRAMS*

WHEREAS: The New York State Department of Health requires that each organization providing EMS training to Fire and EMS units have a Medical Director to oversee such training programs; and

WHEREAS: The Tioga County Bureau of Fire provides such EMS Education to the Fire Departments, Emergency Squads and other organizations in Tioga County; and

WHEREAS: Due to the passing of EMS Medical Director Dr. Aaron Daggy this created a vacancy in the position of EMS Medical Director; and

WHEREAS: Dr. John P. Zevan has expressed an interest in performing this task for the Bureau of Fire and has experience in Emergency Medicine; therefore be it

RESOLVED: That the Tioga County Legislature, after approval by the County Attorney, hereby authorizes the Bureau of Fire to enter into a contract with Dr. John P. Zevan for services as Medical Director for EMS Training for the sum of \$3,000.00 per year effective March 21, 2016; and be it further

RESOLVED: That this funding will come out of the current Bureau of Fire Budget and cause no increase to the Bureaus Annual Budget.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 70-16 *AUTHORIZATION TO CREATE AND FILL ONE (1)
PART-TIME, INFORMATION SECURITY OFFICER
POSITION
LEGISLATIVE OFFICE*

WHEREAS: Legislative approval is required for the creation of any new positions within Tioga County; and

WHEREAS: Resolution 237-15 amended Tioga County Policy 43 by establishing the *Comprehensive Information Security Policy* which identified that Tioga County would appoint an Information Security Officer (not a member of ITCS) to be responsible for implementing and monitoring a consistent data security program; therefore be it

RESOLVED: That one (1) part-time, Information Security Officer shall be created within the Legislative Office effective March 21, 2016; and be it further

RESOLVED: That Susan Haskett shall be appointed to the part-time, Information Security Officer position for 2016 and will be compensated at an annual rate of \$5,000 per year; and be it further

RESOLVED: That the Legislative Office authorized part-time headcount for 2016 shall increase from 10 to 11.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS
PERSONNEL

RESOLUTION NO. 71-16 *CREATE AND FILL HIGHWAY WORKER
(SEASONAL) POSITION
PUBLIC WORKS*

WHEREAS: There will be a need for the Highway Department to employ one seasonal Highway Worker (Seasonal) for 2016; and

WHEREAS: The Commissioner of Public Works has budgeted money to cover expenditures of such employment; therefore be it

RESOLVED: That the Commissioner of Public Works is hereby authorized to create and fill one (1) temporary full-time Highway Worker (Seasonal) position effective May 2, 2016 through October 14, 2016 at an hourly rate of \$9.70, however no more than 1210 hours may be worked May 2, 2016 – October 14, 2016.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved to have the following late-filed resolution considered, seconded by Legislator Monell and carried.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 72-16 *CREATE THREE (3), FULL-TIME TEMPORARY
CONSTRUCTION INSPECTOR POSITIONS
PUBLIC WORKS*

WHEREAS: There will be a need for the Public Works Department to employ inspectors to monitor construction projects occurring on county roads and bridges during the 2016 construction season; and

WHEREAS: The Commissioner of Public Works has identified a cost savings by creating three (3) full-time, temporary Construction Inspectors who possess the necessary credentials through the National Institute for Certification in Engineering Technologies (NICET) and to work for a duration of at least 12, but no more than 25 weeks during 2016; therefore be it

RESOLVED: That the Commissioner of Public Works is hereby authorized to create three (3) full-time, temporary Construction Inspector positions effective March 21, 2016, at an hourly rate range between \$25.00 (NICET Level II) to \$50.00 (NICET Level IV); and be it further

RESOLVED: That two (2) Construction Inspectors will be employed for a temporary duration not to exceed 25 weeks and one (1) Construction Inspector will be employed for a temporary duration not to exceed 16 weeks.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 6:29 P.M.

*Fourth Regular Meeting
April 12, 2016*

The Fourth Regular Meeting of 2016 was held on April 12, 2016 and was called to order by the Chair at 12:00 P.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Hollenbeck to have a moment of prayer. "God Bless the men and women in the armed services and law enforcement who often risk their lives to keep us free."

Legislator Hollenbeck led all Legislators and those in attendance in the Pledge of Allegiance.

There were 14 people in attendance.

Legislator Standinger read and presented the following Recognition Resolution to Marilyn Reynolds of the Public Health Department.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO

HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 73-16

*RECOGNITION OF MARILYN REYNOLDS'
SELECTION TO NEW YORK STATE DEPARTMENT OF
HEALTH 2016 PUBLIC HEALTH WORKS! HONOR
ROLL
PUBLIC HEALTH*

WHEREAS: Marilyn Reynolds, RN, was appointed to the position of Supervising Public Health Nurse December 6, 1999, in the Tioga County Public Health Department; the position she still holds; and

WHEREAS: The New York State Department of Health has awarded Ms. Reynolds the distinction of being included on the 2016 New York Public Health Works! Honor Roll; and

WHEREAS: This award by New York State is in recognition of Ms. Reynolds' outstanding commitment to public health by promoting the overall health of the community, preventing disease, and helping New York become the healthiest state in the nation; and

WHEREAS: Ms. Reynolds has been extremely dedicated, loyal and professional in the performance of her duties and responsibilities during the past sixteen years to the County and to the Public Health Department. She has earned the respect of her colleagues and peers throughout Tioga County; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Marilyn Reynolds, RN, for sharing her vast amount of knowledge and expertise in the public health field to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Marilyn Reynolds, RN.

ROLL CALL VOTE

Unanimously Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Lisa McCafferty, Public Health Director, spoke. “I will be very brief. In the short time that I have known Marilyn, I have to say in all the years I have been engaged in public health, she epitomizes public health nursing and Tioga County you ought to be extremely proud that you have had somebody of this caliber and expertise here in the County working on behalf of public health.”

Rebecca Kaufman, Deputy Public Health Director, spoke. “I just want to let you all know that this was a surprise to Marilyn. She knows she was nominated, she did not know she won until we just said this. I would like to on behalf of the staff and, of course, the County thank you. I cannot think of someone else who deserves this award more and I am just very thankful that the State has recognized you as well as the Legislature here today. Marilyn is always informing us of new information and spending her time, and I think even more than we know dedicated to public health. Your family is here today and they are all very excited that you have won this award. Thank you Marilyn for all that you do.”

Marilyn Reynolds spoke. “People who know me know that I am not speechless. I am pretty speechless. Thank you. I feel very blessed. God has blessed me with a job that I love and I have always wanted to work in a county

that I live in, and the 16 years have been on the whole most of the time a lot of fun. I have an amazing staff, the Public Health Department is amazing people and again I have been so blessed by God to be in a job in an area that I absolutely love. I have been saying to people because I am going to be retiring soon that I wanted to finish well and thank you."

Legislator Standinger read and presented the following Proclamation on American Stroke Month to Lisa McCafferty, Public Health Director.

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: Stroke is a leading cause of serious long-term disability and the fourth leading cause of death in the United States, killing over 134,000 people nationwide and more than 30 citizens of Tioga County each year; and

WHEREAS: Stroke prevalence is projected to increase by 24.9% between 2010 and 2030 and the direct medical costs in the U.S. for treating stroke are expected to increase by 238% from \$28.3 billion in 2010 to \$95.6 billion by 2030; and

WHEREAS: Warning signs of stroke include sudden numbness or weakness of the face, arm or leg, especially on one side of the body; sudden confusion, trouble speaking or understanding; sudden trouble seeing in one or both eyes; sudden trouble walking, dizziness, loss of balance or coordination; and sudden severe headache with no known cause; and

WHEREAS: Americans are more aware of the risk factors and warning signs for stroke than in the past, but according to a recent survey, one-third of adults cannot identify any symptoms; and

WHEREAS: Studies show that the quick actions by EMS professionals are instrumental in saving lives from stroke and producing better outcomes for stroke survivors, but more than a third of stroke patients fail to use EMS; and

WHEREAS: New and effective treatments have been developed to treat and minimize the severity and damaging effect of strokes, but much more research is needed, therefore be it

RESOLVED: That the TIOGA COUNTY LEGISLATURE does hereby Proclaim and designate the month of May 2016 as:

AMERICAN STROKE MONTH IN TIOGA COUNTY

and urges all the citizens of our County to familiarize themselves with the risk factors associated with stroke, recognize the warning signs and symptoms, and on the first signs of a stroke dial 9-1-1 immediately so that we might begin to reduce the devastating effects of stroke on our population.

Legislator Standinger spoke. "When I had a stroke I had no idea that I was having one. Fortunately I was able to call a friend, a fellow law enforcement officer who came and recognized I had a problem. If I had not been able to do that, again I probably would not be here today. Familiarize yourself with

those symptoms and if you see someone that has them, please get them some help. Thank you.”

Lisa McCafferty, Public Health Director, spoke. “Not much more I can add to first hand testimony. Stroke is preventable and if you are aware of the signs, it is amazing what you can do to help yourself recover from as positively as Legislator Standinger has done, so kudos to him. Thank you everyone.”

Chair Sauerbrey noted the following two Proclamations on Infant Immunization Awareness Week and Child Abuse Prevention month.

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: Giving babies the recommended immunizations by age two is the best way to protect them from 14 serious childhood diseases; and

WHEREAS: Vaccine-preventable diseases still circulate in the United States and around the world, so continued vaccination is necessary to protect everyone from potential outbreaks. Even when diseases are rare in the U.S., they can be brought into the country, putting unvaccinated children at risk; and

WHEREAS: Most parents vaccinate their children, resulting in high vaccine coverage rates in the U.S.; and

WHEREAS: When people are unvaccinated, outbreaks of diseases like pertussis (whooping cough) and measles can – and do – return; and

WHEREAS: It is important to vaccinate children on time, according to the childhood immunization schedule, to provide the best protection early in life, when babies are vulnerable and before they are likely to be exposed to diseases; and

WHEREAS: This year, National Infant Immunization Week will be celebrated as part of World Immunization Week, an initiative of the World Health Organization (WHO) where all six WHO regions, including more than 180 Member States, territories, and areas will simultaneously promote immunization, advance equity in the use of vaccines and universal access to vaccination services, and enable cooperation on cross-border immunization activities in April 2016; and

WHEREAS: The week of April 16-April 23, 2016, has been declared National Infant Immunization Week to help ensure that children should be protected against 14 vaccine-preventable diseases by the age of two; therefore

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the week of April 16-April 23, 2016 as:

INFANT IMMUNIZATION AWARENESS WEEK IN TIOGA COUNTY

and encourages parents to make vaccinating their children a priority and to talk to family and friends about protecting their children with vaccines. We also encourage businesses, government agencies, community-based organizations, and service groups to spread the immunization message throughout their communities.

CHILD ABUSE PREVENTION MONTH PROCLAMATION

WHEREAS: The Tioga County Department of Social Services received 977 reports of alleged abuse/neglect involving 2,035 children in 2015; and

WHEREAS: Child abuse is a community problem and finding solutions depends on the involvement among people throughout the community; and

WHEREAS: The effects of child abuse are felt by whole communities, and need to be addressed by the entire community; and

WHEREAS: Effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, religious and civic organizations, law enforcement agencies, and the business community; and

WHEREAS: Programs like Cornell Cooperative Extension, Lourdes PACT and Finger Lakes Parenting Network offer support and educational services to families so families can help their child achieve his/her full potential within the community; and

WHEREAS: All citizens should become more aware of the negative effects of child abuse and prevention activities within the community, and become involved in supporting parents and families so that children can live in safe, nurturing homes; now therefore

THE TIOGA COUNTY LEGISLATURE, does hereby proclaim April 2016 as

CHILD ABUSE PREVENTION MONTH

in Tioga County and call upon all citizens, community agencies, religious organizations, medical facilities, and businesses to increase their participation in our efforts to insure that all children are raised in safe, nurturing families, thereby strengthening the communities in which we live.

There was no privilege of the floor.

Legislator Monell made a motion to approve the minutes of March 15, 2016, seconded by Legislator Mullen, and carried.

Chair Sauerbrey stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 74-16 *APPOINT DIRECTOR
SOIL & WATER CONSERVATION
DISTRICT*

WHEREAS: John King, Pomona Grange Representative to the Tioga County Soil and Water Conservation District has resigned from said Board; and

WHEREAS: The Pomona Grange has recommended Mark Kwiatkowski, farm operator in Owego to fill said unexpired term; therefore be it

RESOLVED: That Mark Kwiatkowski is hereby appointed the Pomona Grange Representative to the Tioga County Soil and Water Conservation District to fill the unexpired term of John King, said term ending December 31, 2016.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 75-16 *APPOINT DIRECTOR
SOIL & WATER CONSERVATION
DISTRICT*

WHEREAS: Robert Aman's term on the Soil and Water Conservation District as a Farm Bureau Representative is set to expire on March 31, 2016; and

WHEREAS: The Farm Bureau has expressed interest for Robert Aman to continue as Farm Bureau's Representative on the Soil and Water Conservation District Board; therefore be it

RESOLVED: That Robert Aman of Candor, New York be hereby reappointed Farm Bureau Representative to the Soil and Water Conservation District Board for a term of April 1, 2016 through March 31, 2019Ap.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 76-16 REASSIGN MEMBER TO THE
TIOGA COUNTY PLANNING
BOARD

WHEREAS: The Town of Candor position on the Tioga County Planning Board has been vacant since Gary Henry, Jr. resigned in November of 2015; and

WHEREAS: Jason Bellis, a current at-large, alternate member on the Tioga County Planning Board is willing to be reassigned to the Town of Candor representative position as he lives in the Town of Candor, freeing the alternate position to find a candidate countywide; and

WHEREAS: The Candor Town Board has nominated Jason Bellis to fulfill the unexpired term of Gary Henry, Jr.; therefore be it

RESOLVED: That the Tioga County Legislature reassigns Jason Bellis' representation on the Tioga County Planning Board to the Town of Candor position, to fulfill Gary Henry, Jr's unexpired 3-year term of 1/1/15 – 12/31/17.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 77-16 *APPOINT MEMBER TO THE
TIOGA COUNTY PLANNING
BOARD*

WHEREAS: One at-large, alternate position has been vacated due to Jason Bellis becoming the Town of Candor representative to the Tioga County Planning; and

WHEREAS: Tioga County Economic Development & Planning has found Christopher Curry willing and able to fulfill the unexpired term of Jason Bellis in this capacity; therefore be it

RESOLVED: That the Tioga County Legislature appoints Christopher Curry to the Tioga County Planning Board as an at-large, alternate member, to fulfill Jason Bellis' unexpired 3-year term of 1/1/16 – 12/31/18.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 78-16 *APPOINT MEMBER TO THE
TIOGA COUNTY PLANNING
BOARD*

WHEREAS: David Mumbulo, representing the Town of Barton on the Tioga County Planning Board has resigned due to a continual schedule conflict; and

WHEREAS: The Barton Town Board has found Grady Updyke willing and able to fulfill the unexpired term of David Mumbulo, and has nominated him to serve in this capacity; therefore be it

RESOLVED: That the Tioga County Legislature appoints Grady Updyke to the Tioga County Planning Board, to fulfill David Mumbulo's unexpired 3-year term of 3/12/14 – 12/31/16.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 79-16 *APPROVE ALTERNATIVES TO
INCARCERATION 2016-2017
SERVICE PLAN AND APPLICATION FOR
FUNDING*

WHEREAS: The Alternatives to Incarceration Service Plan for 2016 -2017 will be presented to the Alternatives To Incarceration Board on April 21, 2016; and

WHEREAS: The Alternatives to Incarceration Programs in Tioga County for PreTrial Release and Community Service have a long standing tradition of being an effective tool to reduce the amount of inmates in the Tioga County Jail; therefore if the ATI Board approves the proposed plan, the Tioga County Legislature will also support it; therefore be it

RESOLVED: That the Tioga County Legislature approves the Alternatives to Incarceration Service Plan for the time period of 7/1/2016 to 6/30/2017 and submit same to the NYS Division of Criminal Justice Services and Office of Probation and Correctional Alternatives to continue state-grant funding for Pre-Trial Release, Community Service, and Specialized Treatment.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 80-16 *FILING OF AN APPLICATION FOR STATE ASSISTANCE FROM THE HOUSEHOLD HAZARDOUS WASTE (HHW) STATE ASSISTANCE PROGRAM AND SIGNING OF THE ASSOCIATED STATE MASTER GRANT CONTRACT, UNDER THE APPROPRIATE LAWS OF NEW YORK STATE*

WHEREAS: The State of New York provides financial aid for household hazardous waste programs; and

WHEREAS: Tioga County, herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS: It is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid; now therefore be it

RESOLVED BY THE TIOGA COUNTY LEGISLATURE:

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized;
2. That Tioga County's Legislative Chair, or his/her designee is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application, to sign the resulting contract if said application is approved by the State; and to provide such additional information as may be required;
3. That the MUNICIPALITY agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for the State share of such costs as indicated in the contract;
4. That two (2) Certified Copies of this Resolution be prepared and sent to the New York State Department Environmental Conservation together with a complete application;
5. That this resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 81-16 *FILING OF AN APPLICATION FOR A STATE ASSISTANCE GRANT FOR A MUNICIPAL WASTE REDUCTION AND/OR RECYCLING PROJECT AND SIGNING OF THE MASTER GRANT CONTRACT, UNDER THE APPROPRIATE LAWS OF NEW YORK STATE*

WHEREAS: The State of New York provides financial aid for municipal waste reduction and municipal recycling projects; and

WHEREAS: Tioga County, herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the Municipality deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS: It is necessary that a Master Grant Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Assistance Grant; now therefore be it

RESOLVED BY THE TIOGA COUNTY LEGISLATURE:

6. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized;
7. That Tioga County's Legislative Chair, or his/her designee is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the State;
8. That the MUNICIPALITY agrees that it will fund the entire cost of said Municipal Waste Reduction and Recycling Project;
9. That this resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 82-16 *APPLY FOR INDIGENT LEGAL SERVICES GRANT*

WHEREAS: The New York State Office of Indigent Legal Services has made available to Tioga County a three year, non-competitive grant for Calendar years 1/1/16 to 12/31/18, totaling \$61,902 to improve the quality of indigent legal services provided under Article 18-B of the County Law; and

WHEREAS: Tioga County realizes the importance of providing quality representation to indigent individuals; and

WHEREAS: The grant funds will be used:

1. To continue to partially fund the position of Family Court Public Defender and Chief Public Defender and continue to entirely fund the Public Defender Paralegal Position.
2. To continue to fund the Public Defenders Case Management Services System.
3. To continue to entirely fund the two part-time positions in the Assigned Counsel Administrator's Office.

And

WHEREAS: There are no local matching funds required under this grant; now therefore be it

RESOLVED: That the Tioga County Legislature authorizes the submission of said grant to the Office of Indigent Legal Services for the sum of \$61,902, and authorizes and directs the Chair of the Tioga County Legislature to execute any

contracts, or other necessary documents to proceed with the grant, subject to approval of the County Attorney.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 83-16 *APPROPRIATION OF FUNDS*
MENTAL HYGIENE

WHEREAS: The Suicide Coalition of Tioga County has raised money through fund raising, gifts and donations; and Tioga County Department of Mental Hygiene is the administrator of these funds; and

WHEREAS: The funding is specifically designated for the purchase of program deliverables; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4322 427051 Gifts and Donations	\$2,149.04
To: A4322 540010 Advertising	\$ 100.00
A4322 540130 Contracts	\$ 100.00
A4322 540360 Meals/Food	\$ 100.00
A4322 540420 Office Supplies	\$ 100.00
A4322 540485 Printing/Paper	\$ 500.00
A4322 540640 Supplies (Not Office)	\$ 100.00
A4322 540733 Training/All Other	\$1,149.04

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 84-16 TRANSFER OF FUNDS
PUBLIC HEALTH

WHEREAS: Public Health is in need of Professional Engineering services; and

WHEREAS: Public Health plans to contract for these mandated services; and

WHEREAS: Public Health has the funds available in their 2016 budget due to reorganization of the Environmental Health staff, yet requires the transfer of these funds into the appropriate budget lines; and

WHEREAS: Transfer of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be transferred as follows:

From: A4090 510010 Environmental Health: Personnel \$ 29,000

To: A4090 540140 Environmental Health: Contractual \$ 29,000

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 85-16 AMENDING POLICY 26
TIOGA COUNTY ETHICS LAW,
SCHEDULE A

WHEREAS: The Legislature wishes to amend Policy 26, Schedule A; therefore be it

RESOLVED: That Policy 26, Schedule A is amended as follows:

POSITION

AG & FARMLAND PROTECTION BOARD MEMBERS (ALL)
ASSIGNED COUNSEL ADMINISTRATOR
BOARD OF HEALTH MEMBERS (ALL)
BUDGET OFFICER
CAPTAIN, OPERATIONS OFFICER
CHIEF ACCOUNTANT
CLERK TO THE LEGISLATURE AND DEPUTY CLERK
CLINICAL PROGRAM DIRECTOR
COMMISSIONERS OF BOARD OF ELECTIONS AND DEPUTIES
COMMISSIONER OF PUBLIC WORKS AND DEPUTY
COMMISSIONER OF SOCIAL SERVICES AND DEPUTY COMMISSIONER
COMMUNITY SERVICE BOARD MEMBERS (ALL)
CORONERS (ALL)
COUNTY ATTORNEY AND ASSISTANTS
COUNTY CLERK AND DEPUTY
COUNTY PLANNING DIRECTOR
COUNTY SHERIFF AND UNDERSHERIFF
COUNTY TREASURER AND DEPUTY
DIRECTORS OF ADMINISTRATIVE SERVICES
DIRECTOR OF COMMUNITY SERVICES
DIRECTOR OF EMERGENCY PREPAREDNESS AND DEPUTY DIRECTOR
DIRECTOR OF EMPLOYMENT & TRANSITIONAL SUPPORT
DIRECTOR OF INFORMATION TECHNOLOGY & COMMUNICATION SYSTEMS
DIRECTOR OF REAL PROPERTY TAX SERVICES
DIRECTOR OF VETERANS' SERVICE AGENCY
DIRECTOR OF WEIGHTS & MEASURES I
DIRECTOR OF ECONOMIC DEVELOPMENT & PLANNING

DEPUTY DIRECTOR ECONOMIC DEVELOPMENT
DISTRICT ATTORNEY AND ASSISTANTS
ETHICS BOARD MEMBERS (ALL)
FIRE COORDINATOR AND ASSISTANT FIRE COORDINATORS
PUBLIC HEALTH DIRECTOR AND DEPUTY DIRECTOR
HISTORIAN
INDUSTRIAL DEVELOPMENT AGENCY MEMBERS (ALL)
LEGISLATORS (ALL)
LOCAL DEVELOPMENT CORPORATION AGENCY MEMBERS (ALL)
MATERIALS RECOVERY MANAGER
PERSONNEL OFFICER
PLANNING BOARD MEMBERS (ALL)
PROBATION DIRECTOR II
PUBLIC DEFENDER AND ASSISTANTS
RECORDS MANAGEMENT OFFICER
SAFETY OFFICER
TIOGA TOBACCO ASSET SECURITIZATION CORP. BOARD MEMBERS (ALL)
YOUTH BUREAU DIRECTOR
YOUTH BUREAU MEMBERS (ALL)

And be it further

RESOLVED: That the remainder of Policy 26 Tioga County Ethics Law shall remain in full force and effect.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Standing.

REFERRED TO:	FINANCE/LEGAL COMMITTEE
RESOLUTION NO. 86-16	<i>EXECUTE LEASE WITH BARTERRA PROPERTIES, LTD. FOR MENTAL HYGIENE SATELLITE OFFICE</i>

WHEREAS: The County's current lease with Barterra Properties, Ltd. for the Mental Hygiene satellite office located at 80 William Donnelly Parkway, Waverly will expire August 31, 2016; and

WHEREAS: It appears it is in the best interest of the County to continue the Mental Hygiene satellite office located at 80 William Donnelly Parkway, Waverly; and

WHEREAS: A new lease for a portion of the building (Suite 2) at 80 William Donnelly Parkway has been negotiated for a five year term at an annual rental of \$22,960.00; therefore be it

RESOLVED: That the Chair of the Legislature is authorized and directed to sign said lease with Barterra Properties, Ltd. for a portion of the building, (Suite 2) located at 80 William Donnelly Parkway, Waverly for a five year lease term commencing September 1, 2016 at the annual rental of \$22,960.00.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 87-16

*APPROVE DEMOLITION CONTRACT
FOR 461 RTE. 96 OWEGO NY*

WHEREAS: Tioga County acquired property at 461 Rte. 96, Owego, NY for back taxes, and

WHEREAS: Funds were budgeted for the demolition of this property; and

WHEREAS: The Commissioner of Public Works received a proposal for demolition of the above mentioned property at a cost of \$11,385; therefore be it

RESOLVED: That the Tioga County Legislature authorizes hiring LCP Group for demolition of the buildings at 461 Rte. 96, Owego, NY at a cost not to exceed \$11,385 to be paid out of account H1620 (org) 520404 561 Rte. 96 Demo & Asbestos.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 88-16

*APPROVE DEMOLITION CONTRACT
FOR PROPERTY AT 465 RTE. 96 OWEGO NY*

WHEREAS: Tioga County acquired property at 465 Rte. 96, Owego, NY for \$1.00; and

WHEREAS: Funds were budgeted for the demolition of this property; and

WHEREAS: The Commissioner of Public Works received a proposal for demolition of the above mentioned property at a cost of \$11,385; therefore be it

RESOLVED: That the Tioga County Legislature authorizes hiring LCP Group for demolition of the buildings at 465 Rte. 96, Owego, NY at a cost not to exceed \$11,385 to be paid out of account H1620 (org) 520404 561 Rte. 96 Demo & Asbestos.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 89-16 *AWARD BRIDGE PREVENTATIVE
MAINTENANCE PIN#9753.97
CONSTRUCTION CONTRACT*

WHEREAS: The Bridge Preventative Maintenance Project PIN#9753.97 has been placed on the FHWA Program; and

WHEREAS: The project will be funded as follows:

FEDERAL:	80%
State:	15%
Local:	5%

And

WHEREAS: The Commissioner of Public Works received sealed bids for the construction phase of this project on 3/17/16 and the results were as follows:

R. DeVincentis	Binghamton, NY	\$217,000.00
Dycon Construction	Pine City, NY	\$210,455.50

And

WHEREAS: McFarland Johnson, Binghamton, NY has completed the review of the bids and finds the low bidder Dycon Construction, Pine City, NY meets all of the qualifications of the bid specifications contingent upon NYSDOT's award concurrence; therefore be it

RESOLVED: That the Tioga County Legislature authorize awarding the bid to Dycon Construction, Pine City, NY not to exceed \$210,455.50 to be paid out of the Bridge Projects account D5110.40 (org) 540050 (object).

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 90-16 *AUTHORIZE HIRING OF JOHNSON CONTROLS FOR HVAC WORK AT PSB*

WHEREAS: The Tioga County Buildings & Grounds Department needs to do HVAC work at the Tioga County Public Safety Building; and

WHEREAS: The Commissioner of Public Works received proposals from Johnson Controls as follows:

Gun Range - HVAC	\$2,421.20
PSB Building HVAC Reset & Civil's new VAV Control Module	\$2,818.37

Therefore be it

RESOLVED: That the Tioga County Legislature authorizes the hiring of Johnson Controls to do the HVAC work at the Public Safety Building not to exceed \$5,239.57 to be paid out of account A1620 (org) 540140 (object) Contracting Services.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 91-16 *EXECUTE LEASE OF PROPERTY
LOCATED AT 111 RIVER ROAD,
RICHMONDVILLE, NEW YORK*

WHEREAS: It appears necessary for the Tioga County District Attorney's Office to lease property during the duration of a trial to be held in Schoharie County; and

WHEREAS: Property located at 111 River Road, Richmondville, New York is available and can be leased on a month to month basis at a rate of \$1400.00 per month; therefore be it

RESOLVED: That the Chair of the Legislature is authorized to sign a lease with Susan J. Mallery o/b/o Alex Christy for property located at 111 River Road, Richmondville, New York at the monthly rate of \$1400.00 per month, which lease shall commence on March 26, 2016.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 92-16 *AUTHORIZE SALARY INCREASE AND ABOLISH
POSITION
(PUBLIC HEALTH)*

WHEREAS: The Deputy Director of Public Health has taken responsibility for oversight of all Early Childhood programs since the incumbent of the Director of Children with Special Needs has been on a leave of absence; and

WHEREAS: The Director of Children with Special Needs will not be returning from the leave of absence but instead will be vacating the position; and

WHEREAS: During the leave of absence, it has become apparent that the Director position is not essential to the Early Childhood programs and the Deputy Director of Public Health's oversight is more effective; and

WHEREAS: The Public Health Director is restructuring the agency's operations and its management structure, with a view toward reducing redundant management layers and achieving more direct supervisory relationships by moving toward a more feasible operating structure, ex. use of 'supervisory' designations as lead for that initiative area; and

WHEREAS: The Public Health Director proposes to permanently assign responsibilities for oversight of the Early Childhood program to the Deputy Director of Public Health and abolish the Director of Children with Special Needs position once vacated; therefore be it

RESOLVED: That effective April 18, 2016, Rebecca Kaufman, Deputy Director of Public Health, shall receive an annual salary increase of \$5,000 in recognition of taking on responsibility for the Early Childhood programs; and be it further

RESOLVED: That the position of Director of Children with Special Needs shall be abolished upon becoming vacant June 15, 2016, reducing the authorized FT headcount from 29 to 28; and be it further

RESOLVED: That the Deputy Director of Public Health position be designated as the county's Early Intervention Officer (EIO) with authority to assign Early

Intervention Officer Designees (EIO – D) as needed to achieve program goals and deliverables.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:21 P.M.

Fifth Regular Meeting
May 10, 2016

The Fifth Regular Meeting of 2016 was held on May 10, 2016 and was called to order by the Chair at 12:00 P.M. All Legislative members were present.

Chair Sauerbrey asked for a moment of silence for Deborah Rowley, an employee for the Public Health Department who passed away on April 16 and also recognizing Senator Libous who passed away.

Chair Sauerbrey asked Legislator Huttleston to have a moment of prayer. "Let us pray. As I was coming here today for this special occasion and wonderful example of democracy, which many countries are unable to enjoy, I thought isn't it great to be an American and we are so lucky and blessed to be born in a great, caring, loving and free country that gives us the freedom of religious choice and several other freedoms that other people in the world are unable to enjoy. Let us take the time to thank the several people that have given and sacrificed so much to allow us to live free. Let us bless and thank our leaders and military forces that are making many sacrifices to ensure and protect our freedom. Let us pray that the entire world will someday be able to live in peace and all the people will be free of hate, anarchy, and terrorism. Thank you Lord for this great country and our freedom, and I ask you to guide and bless this Legislative body, our department heads and employees."

Legislator Huttleston led all Legislators and those in attendance in the Pledge of Allegiance.

There were 26 people in attendance.

Chair Sauerbrey noted that we have four Proclamations, three of which will just be noted.

Legislator Weston read the following proclamation on Employee Recognition and Appreciation Week.

PROCLAMATION

WHEREAS: The mission and services of Tioga County depend heavily on the tireless contributions of its dedicated employees; and

WHEREAS: The Tioga County Legislature wishes to recognize the efforts of all Tioga County employees; and

WHEREAS: The Employee Recognition Committee was created to provide a mechanism to show our appreciation for the Employees of Tioga County; and

WHEREAS: Those employees who have served for more than 25 years have shown a steadfast commitment to serving the well-being of the residents of Tioga County, and should be recognized by those whom they have served; and

WHEREAS: The Tioga County Legislature would like to especially recognize the following employees who have attained 25, 30, 35, or 40 years since last year's ceremonies:

<u>Name</u>	<u>Department</u>	<u>Years</u>
Linda Myers	Social Services	25
Corrine Whitmore	Social Services	25
George Awad	Public Defender	30
Sandra Nugent	Social Services	30
Christopher Kallin	Social Services	35

NOW THEREFORE, THE TIOGA COUNTY LEGISLATURE does hereby proclaim and designate the week of May 9 - 13, 2016 as

EMPLOYEE RECOGNITION AND APPRECIATION WEEK

In the County of Tioga, New York, and call upon our citizens to join in recognizing these dedicated employees.

2016 PROCLAMATION

Mental Health Awareness Month & Children's Mental Health Week

WHEREAS: The citizens of Tioga County value the overall health and well-being of all the residents of Tioga County they are proud to support the observance of Mental Health Awareness Month and Children's Mental Health Week; and

WHEREAS: Mental Health is essential to everyone's overall health and well-being; and

WHEREAS: Mental illness is the leading illness-related cause of disability, a major cause of death through suicide, a factor in school failure, a contributor of poor overall health, incarceration, and homelessness; and

WHEREAS: Mental illness in adults and serious emotional and mental health disorders in children and youth are real and treatable; and

WHEREAS: There is evidence that early intervention, family-centered care for children, and person centered treatment for adults can result in reduction and management of symptoms such that individuals with mental illness can live full, productive and meaningful lives in their communities; and

WHEREAS: Children and youth with mental health challenges, along with their families, deserve access to services and supports that are family driven, youth guided and culturally appropriate; and

WHEREAS: There is an expectation of hope, healing and recovery for the citizens of Tioga County who experience symptoms of mental illness; and

WHEREAS: Tioga County has made a commitment to a community-based system of care that promotes values of acceptance, dignity and social inclusion for individuals of all ages; therefore

THE TIOGA COUNTY LEGISLATURE does hereby ask all residents of our county to join in declaring May 2016 as *Mental Health Awareness Month* and May 1st – 7th, 2016 as *Children's Mental Health Week* in Tioga County.

FOSTER CARE RECOGNITION MONTH PROCLAMATION

WHEREAS: The Tioga County foster family serves as a source of safety, love, self-esteem and support for children in Tioga County; and

WHEREAS: There are 23 children in foster care in Tioga County, 17 of these children are in foster homes; and

WHEREAS: We have 21 certified foster homes in Tioga County; and

WHEREAS: Numerous public and private agencies work to increase the public's awareness of the needs of children in foster care, and the enduring and valuable contribution of foster parents; and

WHEREAS: It is appropriate to recognize all those who volunteer their talents and energies on behalf of children in foster care, the foster parents who serve these children and the professional staff dedicated to ensuring these children have a stable and safe foster family environment; now therefore

THE TIOGA COUNTY LEGISLATURE hereby Proclaims May 2016, as

FOSTER CARE RECOGNITION MONTH

in Tioga County and call upon all citizens, community agencies, religious organizations, medical facilities and businesses to increase their participation in our efforts to recognize foster parents in Tioga County.

PROCLAMATION

WHEREAS: People who are elderly or have disabilities have contributed to the general welfare of Tioga County by helping to preserve customs, convictions, and traditions of many people from diverse backgrounds; and

WHEREAS: These residents are vital and integral members of our society and their wisdom and experience have enriched our lives; and

WHEREAS: The health and well-being of disabled and elderly people in our county should be one of our highest priorities and of concern to all Americans; and

WHEREAS: People who are elderly or have disabilities are among the most important resources of our county, and it is fitting that we recognize the need to protect their health, safety, and rights; and

WHEREAS: Abuse of the elderly and people with disabilities in domestic and institutional settings is a wide-spread problem, affecting hundreds of thousands of people across the country; and

WHEREAS: Elder abuse is underreported because the elderly who are being abused find it very difficult to tell anyone and are usually ashamed and sometimes afraid; and

WHEREAS: Elder abuse happens to men and women of all income levels, all cultural and ethnic groups, whether they are in good health or incapacitated in some way, in poor neighborhoods and in suburbia; and

WHEREAS: Many of the cases investigated by Adult Protective Services in New York involve self-neglect or financial exploitation and it is our duty as citizens to reach out to people in need; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim the month of May 2016 to be

Elder Abuse Prevention Month

in Tioga County, and urge all citizens to work together to help reduce abuse and neglect of people who are elderly or have disabilities.

There was no privilege of the floor.

Legislator Sullivan made a motion to approve the minutes of April 12, 2016, seconded by Legislator Monell, and carried.

Chair Sauerbrey made the following reappointment to the Broome-Tioga Workforce Development Board:

Public Sector-Shawn Yetter, Commissioner of Social Services
7/1/16 – 6/30/19

Chair Sauerbrey stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 93-16 APPOINT MEMBER
CENTRAL NEW YORK RESOURCE
CONSERVATION AND DEVELOPMENT
PROJECT, INC. (CNY RC&D)

WHEREAS: Brian Reaser of the Soil & Water Conservation District is willing to serve as a member on the CNY RC&D; therefore be it

RESOLVED: That Brian Reaser of the Soil & Water Conservation District be hereby appointed to the Central New York Resource Conservation and Development Project, Inc. (CNY RC&D) for a term of April 1, 2016 through March 31, 2019.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan, Weston and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 94-16 *ACCEPTANCE OF THE APPLICATION FOR
FIREFIGHTER DAVID LANNING TO THE
TIOGA COUNTY HAZ-MAT TEAM*

WHEREAS: The Bureau of Fire provides high quality Hazardous Materials Team support to the Fire Service in Tioga County and adjacent Counties through the NYS Fire Mutual Aid Plan; and

WHEREAS: This service is provided by local, highly trained volunteers; and

WHEREAS: Haz-Mat team member Mark Storm is no longer an active member of the Team; and

WHEREAS: Spencer Firefighter David Lanning has applied for membership to the County Haz-Mat Team; and

WHEREAS: Firefighter Lanning currently far exceeds the training and skills needed by the Tioga County Haz-Mat Team to work at the Entry Level of the Team; and

WHEREAS: Firefighter Lanning would replace Newark Valley Firefighter Storm as an active member of the Haz-Mat Team; therefore be it

RESOLVED: That Spencer Firefighter David Lanning be added to the Tioga County Haz-Mat Team roster to replace Newark Valley Firefighter Mark Storm.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan, Weston and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 95-16 *ACCEPTANCE OF THE APPLICATION FOR
FIREFIGHTER LUCAS HOPKINS TO THE
TIOGA COUNTY HAZ-MAT TEAM*

WHEREAS: The Bureau of Fire provides high quality Hazardous Materials Team support to the Fire Service in Tioga County and adjacent Counties through the NYS Fire Mutual Aid Plan; and

WHEREAS: This service is provided by local, highly trained volunteers; and

WHEREAS: Haz-Mat team member David Sayles is no longer an active member of the Team; and

WHEREAS: Halsey Valley Firefighter Lucas Hopkins has applied for membership to the County Haz-Mat Team; and

WHEREAS: Firefighter Hopkins currently possesses training and skills needed by the Tioga County Haz-Mat Team to work at the Entry Level of the Team; and

WHEREAS: Firefighter Hopkins would replace NYS OFPC Firefighter Sayles as an active member of the Haz-Mat Team; therefore be it

RESOLVED: That Halsey Valley Firefighter Lucas Hopkins be added to the Tioga County Haz-Mat Team roster to replace NYS OFPC Firefighter David Sayles.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan, Weston and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 96-16 TRANSFER OF CONTINGENCY
FUNDS TO LIABILITY INSURANCE

WHEREAS: The Treasurer's Department received invoices for the 2016 annual renewal for Liability Insurance and expects to receive additional invoices; and

WHEREAS: The Unallocated Insurance Account A1910 540270 for Liability Insurance is under budgeted for 2016 as is other Departments' Liability Insurance line item; and

WHEREAS: The Renewal Premium has increased by over 10% in one year and such policies will need to continue through 12/31/2016; and

WHEREAS: The funding is available in Contingency; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the following budget transfer from Contingency, related interfund transfers, and appropriate the funds as follows:

FROM: A1990 Contingency	540715 Transfer	\$29,362.00
TO: A1910 Unallocated Insurance	540270 Liability Ins	\$20,377.00
A4010 Public Health Admin	540270 Liability Ins	\$ 1,749.00
A4310 Mental Health Clinic	540270 Liability Ins	\$ 2,828.00
B8160 Solid Waste	540270 Liability Ins	\$ 2,471.00
D5110 County Highway	540270 Liability Ins	\$ 1,937.00

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 97-16 AMEND TIOGA EMPLOYMENT CENTER BUDGET

WHEREAS: The Tioga Employment Center, as part of the Broome-Tioga Workforce New York for employment and training services, is fully funded under the federal Workforce Innovation and Opportunities Act; and

WHEREAS: NYS Department of Labor has allocated Transition funds to transition from WIA to WIOA; and

WHEREAS: The funding is in the amount of \$4524.23; and

WHEREAS: This funding can only be expended for certain categories; therefore be it

RESOLVED: That the Tioga Employment Center allocates the funds as follows:

From: CD4791 – Federal Aid-Federal Employment Program	\$ 4,524.23
To: CD6293.510010–Federal Employment Program	\$ 741.33
CD6293.540487- Program Expense	\$ 285.73
CD6293.540733- Training/All Other	\$ 175.00
CD6293.540130- Contracts	\$ 2,772.00
CD6293.530100- Data Processing	\$ 550.17

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 99-16

*APPROVE SUPPLEMENTAL
AGREEMENT FOR CODDINGTON RD
BRIDGE – CONSTRUCTION
SUPPORT SERVICES*

WHEREAS: Tioga County bonded for a program for rehabilitation of various bridges; and

WHEREAS: The Coddington Rd. Bridge BIN: 3335100 is one of the bridges in the bridge bond program; and

WHEREAS: Labella Associates, Rochester, NY was awarded the design services on Resolution 213-14; and

WHEREAS: The Tioga County Legislature authorized the Department of Public Works to hire three (3) temporary construction inspectors to save the County money; and

WHEREAS: There is a need for Construction Support Services to provide Engineering Services for the project; and

WHEREAS: Labella Associates, Rochester, NY has submitted a proposal of \$19,000; therefore be it

RESOLVED: That the Tioga County Legislature approve hiring Labella Associates, Rochester, NY to provide Construction Support Services not to exceed \$19,000 to be paid out of the Coddington Rd. Bridge account:

H5110 (org) 540002 (object) H1408 (Project) \$19,000

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 100-16 *APPROVE SUPPLEMENTAL
AGREEMENT FOR GLEN RD
BRIDGE – CONSTRUCTION
SUPPORT SERVICES*

WHEREAS: Tioga County bonded for a program for rehabilitation of various bridges; and

WHEREAS: The Glen Rd. Bridge BIN: 3335320 is one of the bridges in the bridge bond program; and

WHEREAS: Labella Associates, Rochester, NY was awarded the design services on Resolution 214-14; and

WHEREAS: The Tioga County Legislature authorized the Department of Public Works to hire three (3) temporary construction inspectors to save the County money; and

WHEREAS: There is a need for Construction Support Services to provide Engineering Services for the project; and

WHEREAS: Labella Associates, Rochester, NY has submitted a proposal of \$19,000; therefore be it

RESOLVED: That the Tioga County Legislature approve hiring Labella Associates, Rochester, NY to provide Construction Support Services not to exceed \$19,000 to be paid out of the Glen Rd. Bridge account:

H5110 (org) 540002 (object) H1409 (Project) \$19,000

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan, Weston and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 101-16 APPROVE FUNDING
2016 YOUTH BUREAU PROGRAM FUNDING

WHEREAS: The Tioga County Legislature approves Youth Bureau program funding which is 100% reimbursable from the New York State Office of Children and Family Services; and

WHEREAS: The Tioga County Youth Board has reviewed 2016 applications for funding which are consistent with guidelines previously presented to the Legislative Committee; now therefore be it

RESOLVED: That the following programs recommended by the Tioga County Youth Board for program year 2016 be approved by the Tioga County Legislature in the amounts indicated:

Cooperative Extension Family Resource Centers	\$ 8,502
Spencer Van Etten Schools PAVE	\$ 7,550
Tioga Central School District Summer Recreation	\$ 5,500
Big Brothers Big Sisters	\$ 4,000
Waverly Summer Recreation	\$ 3,500
Town of Owego Summer Camp	\$ 3,000
Cooperative Extension 4-H STEM Program	\$ 2,000
Newark Valley Joint Summer Recreation	<u>\$ 1,700</u>
TOTAL	\$35,752

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: COUNTY CLERK COMMITTEE

RESOLUTION NO: 102-16 *MORTGAGE TAX DISTRIBUTION*

RESOLVED: That the mortgage tax report for the period October 1, 2015 to March 31, 2016 be and it hereby is accepted; further

RESOLVED: That the County Treasurer be authorized and directed to pay to the Supervisors of the several Towns and the Treasurers of the several Villages the amounts apportioned to them as follows:

Barton (Town)	\$ 29,142.90
Berkshire (Town)	5,189.10
Candor (Town)	18,944.63
Candor (Village)	2,625.97
Newark Valley (Town)	7,354.16
Newark Valley (Village)	2,659.71
Nichols (Town)	8,351.06
Nichols (Village)	1,168.13
Owego (Town)	82,334.35
Owego (Village)	11,202.65
Richford (Town)	3,216.78
Spencer (Town)	8,926.69
Spencer (Village)	1,769.06
Tioga (Town)	16,128.18
Waverly (Village)	<u>12,797.13</u>
	\$ 211,810.50

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan, Weston and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 103-16

*REQUEST STATE TO FUND MANDATED
DISTRICT ATTORNEY SALARY INCREASE*

WHEREAS: On December 24, 2015, New York State Commission on Legislative, Judicial, and Executive Compensation voted to recommend increasing all state judge salaries in 2016 and 2018; and

WHEREAS: The recommended increase placed Supreme Court judges' salaries at \$193,000 in 2016 and \$203,000 in 2018 and placed County Court Judges at 95% of a Supreme Court Justice's salary, and on April 1st the state approved the Commission's recommendation; and

WHEREAS: New York State Judiciary Law Section 183-a links judicial salaries to County District Attorney (DA) salaries to be equal or higher than either the County Court Judge or Supreme Court Judge in a county, depending on county size and full-time or part-time status; and

WHEREAS: For over 50 years, the state has funded all salary increases that they imposed on the counties; and

WHEREAS: The District Attorneys Association of the State of New York (DAASNY), recognizing the automatic nature of these increases and its effect on local county budgets, and further to support the counties' position, requested in correspondences with state officials that the state fund this salary increase as well; and

WHEREAS: This salary increase recommendation occurred well after all counties set their 2016 budgets in law, and to the extent that the Commission's recommendations, do in fact, supersede the provisions of Judiciary Law section 221-d as applicable to District Attorney's annual salary; and

WHEREAS: DA's are entitled to the compensation they are owed pursuant to state law for fulfilling the state constitutional and statutory duties related to the enforcement of the state penal law; and

WHEREAS: On April 1, 2016 the State Legislature enacted a \$150 billion State Budget, but did not include the funding for the \$1.6 million in reimbursement costs for the increase in DA salaries; and

WHEREAS: The state has been careful over the past few years to avoid shifting costs to the local tax base, mindful of the impact locally with the state imposed property tax cap, and for many counties this salary increase represents approximately 1/3 of their total allowable property tax growth for all government operation in 2016; now therefore be it

RESOLVED: That the County of Tioga calls on the State of New York to immediately pass legislation and pay for this increase retroactive to April 1, 2016, and not pass this unfunded mandate on to local taxpayers.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 104-16 *AUTHORIZE COUNTY DEPARTMENT HEADS
TO NEGOTIATE AND EXECUTE
CERTAIN CONTRACTS*

WHEREAS: County Law permits this Legislative Body to delegate to County Department Heads the authority to negotiate and execute contracts upon such terms and conditions it deems appropriate within the authorized annual appropriations; therefore be it

RESOLVED: That within the amounts annually appropriated by this Legislature in the Annual County Budget, County Department Heads are authorized and empowered to negotiate and enter into contracts for procurement of goods and services valued at \$10,000 or less without having to obtain prior Legislative approval by resolution.

RESOLVED: That the Tioga County Legislature authorize the Supervisor of Tioga Employment Center to enter into a contract, upon approval by the County Attorney, with Superior Group at the bill rate of \$11.52 per hour for a maximum of 25 hours per week, effective July 1, 2016 through June 30, 2017.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan, Weston and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:

PUBLIC WORKS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 106-16

*AUTHORIZE APPOINTMENT OF
COMMISSIONER OF PUBLIC WORKS
GARY HAMMOND*

WHEREAS: Resolution 135-15 appointed Gary Hammond Commissioner of Public Works with a one year probationary period; and

WHEREAS: The one year appointment commenced on May 13, 2015; and

WHEREAS: Resolution 135-15 states that Mr. Hammond is eligible for an appointment to a four-year term as Commissioner of Public Works at the end of the one year probationary appointment; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the appointment of Gary Hammond, Commissioner of Public Works for a four-year term, effective May 13, 2016 through May 12, 2020; and be it further

RESOLVED: That Mr. Hammond's salary for 2016 shall remain at his current annual rate.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 107-16 *CREATE AND FILL TEMPORARY, FULL-TIME
CLERK (SEASONAL) POSITION
TREASURER'S OFFICE*

WHEREAS: Legislative approval is required for the creation of any new positions within Tioga County; and

WHEREAS: The Tioga County Treasurer has a need to hire a temporary, full-time Clerk to work during the summer season to provide clerical support within the Treasurer's Office; and

WHEREAS: Resolution 196-09 established the hourly rate of pay for seasonal Clerks at minimum wage, plus one dollar; and

WHEREAS: The Treasurer appropriately budgeted for this seasonal position; therefore be it

RESOLVED: That the County Treasurer is hereby authorized to create and fill one (1) temporary, full-time position of Clerk (Seasonal) at the rate of \$10.00/hour (minimum wage plus \$1.00) effective May 23, through September 2, 2016.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 108-16 *AUTHORIZE CREATION OF TEMPORARY, PART-TIME ASSISTANT DIRECTOR OF WEIGHTS & MEASURES PUBLIC HEALTH DEPARTMENT*

WHEREAS: The current Director of Weights & Measures has announced that he will resign effective May 30, 2016; and

WHEREAS: The Public Health Director is in the process of recruiting for said position and would like to acclimate the new Director of Weights & Measures within the department prior to the current incumbent's departure; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the creation of a temporary, part-time Director of Weights & Measures to be filled effective May 16 through May 27, 2016, at a rate of \$15.00 per hour; and be it further

RESOLVED: That said temporary, part-time Assistant Director of Weights & Measures position shall be abolished effective May 27, 2016, at the close of business.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Weston and Hollenbeck.

No – None.

Absent – None.

Recused – Legislator Sullivan

RESOLUTION ADOPTED.

The meeting was adjourned at 12:13 P.M.

Sixth Regular Meeting
June 14, 2016

The Sixth Regular Meeting of 2016 was held on June 14, 2016 and was called to order by the Chair at 6:00 P.M. Eight Legislative members were present, Legislator Monell being absent.

Chair Sauerbrey asked Legislator Mullen to have a moment of prayer. "Heavenly Father we ask you to look down upon us as the citizens of Tioga County and give us good governance and the ability to govern the citizens well, honor and justice. We ask for a special prayer for all the victims in Florida, the people that were killed, seriously injured, and we pray for strength for our nation in this hour of need."

Legislator Mullen led all Legislators and those in attendance in the Pledge of Allegiance.

There were 7 people in attendance.

Chair Sauerbrey noted the following recognition resolution for Wanda Grover of the Treasurer's Office.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

RESOLUTION NO. 109-16

*RESOLUTION RECOGNIZING WANDA
GROVER'S 16 YEARS OF DEDICATED
SERVICE TO TIOGA COUNTY*

WHEREAS: Wanda Grover started her employment with Tioga County as a Typist in the Information Technology Department on June 12, 2000, and then she was promoted to Sr. Typist on January 2, 2003. She then became the Account Clerk Typist in the Treasurer's Office on March 29, 2006. She was appointed to the position of Tax Roll Supervisor on July 14, 2008 and has remained at this position for the remainder of her career; and

WHEREAS: Wanda Grover has been extremely dedicated and loyal in the performance of her duties and responsibilities during the past 16 years to the Treasurer's Department. She has earned the respect of her colleagues and peers throughout Tioga County; and

WHEREAS: Wanda Grover will retire on June 29, 2016; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Wanda Grover for her 16 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Wanda Grover.

ROLL CALL VOTE

Unanimously Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Roberts read and presented the following recognition resolution and a plaque to Jennifer Bennett, Secretary to the Commissioner of Public Works.

Legislator moved for the adoption of the following resolution, seconded by Legislator.

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 110-16

*RESOLUTION RECOGNIZING JENNIFER
BENNETT'S 21 YEARS OF DEDICATED
SERVICE TO
TIOGA COUNTY*

WHEREAS: Jennifer Bennett started her employment with Tioga County as Secretary to the Commissioner of Public Works December 27, 1994 and remained at this position for the remainder of her career; and

WHEREAS: Jennifer Bennett has been extremely dedicated and loyal in the performance of her duties and responsibilities during the past 21 years to the Public Works Department. She has earned the respect of her colleagues and peers throughout Tioga County; and

WHEREAS: Ms. Bennett will retire on June 30, 2016; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Jennifer Bennett for her 21 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Jennifer Bennett.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED UNANIMOUSLY.

Gary Hammond, Commissioner of Public Works spoke. “For 21 years Jennifer has been the Secretary to the Commissioner of Public Works. 21 years she has been the face and voice of the Tioga County Department of Public Works and for 21 years she has also been the Secretary to the Tioga County Highway Superintendent's Association and I am sure they are grateful as well. In all that time Jen has always handled herself very well even with dealing with very difficult people. Thank you for your patience.

“I always knew where I stood with Jennifer. She was never afraid to let me know where she stood and the majority of the time we were on the same page. We will not talk about the times that we were not. Jen has worked for three Public Works Commissioners, Robert Korba, Ken Del Bianco and myself. She was my first Public Works contact in 1997 when I came in for my interview for the Deputy Commissioner's position. I soon came to learn that she was the cornerstone of the Public Works operation. In all that time that we have worked together I have not once wondered if something would get done if I gave it to Jennifer. I gave it to her and it got done simple as that. She has taken everything in stride and faced it with a smile, and generally a very bad pun. I will miss the groaning witticisms that she would hit you with when you least expected it. I would share some of them with you now, but I could never do them justice.

“Jennifer’s time with Tioga County is over, but I am certain that she will bring the same practicality, joy and zest that she brought to the Public Works Department whatever she decides to do next. Thank you Jennifer. Public Works will miss you and I will miss you, and I wish you all the best.”

Jennifer Bennett spoke. “Working for Public Works it is not just a job, it is a family and we are pretty close out there. It made it a lot easier to go to work every day and I have met so many nice people throughout the County and I will miss everybody. Thank you.”

Legislator Standinger read and presented the following Proclamation on Great Outdoors Month to Lisa McCafferty, Public Health Director.

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: Great Outdoors Month is an opportunity for Upstate New Yorkers to experience and explore all that Tioga County has to offer in our beautiful natural surroundings; and

WHEREAS: Outdoor activities such as walking, bicycling, hiking, boating, and camping are great ways to enjoy the outdoors and to encourage children in the importance of outdoor play; and

WHEREAS: Studies have shown that stepping outside can be beneficial both physically and mentally for individuals; and

WHEREAS: Physical activity in the great outdoors can be part of a healthy lifestyle; and

WHEREAS: Tioga County is a beautiful place to enjoy outdoor activities in the month of June; and

WHEREAS: The Tioga County Legislature encourages residents and visitors to hike our trails, boat our waterways, explore our parks, breathe our fresh clean air and simply relish in the nature of Tioga County; now therefore

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of June, 2016 as

GREAT OUTDOORS MONTH

and urges all residents to familiarize themselves, their families and visitors about the opportunities to experience nature and our beautiful surroundings in Tioga County.

Legislator Standinger spoke. "I just want to tell you that our Public Health Director came from Florida to New York because she likes it so much. I have a feeling this will be hanging on the wall up at the Health Department."

Lisa McCafferty, Public Health Director spoke. "Thank you very much. I guess all I can say is Legislator Standinger is right on, we should not be sitting inside, we should be outside, it is gorgeous out there and every time I have been in the community it has been on the map all the things you can do outside to enjoy the community. Yes, we do have a wall downstairs where you can come and see all the Proclamations. Thank you."

There was no privilege of the floor.

Legislator Sullivan made a motion to approve the minutes of May 10, 2016, seconded by Legislator Standinger, and carried.

Chair Sauerbrey stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 111-16 *MODIFY 2016 BUDGET
EMERGENCY MANAGEMENT*

WHEREAS: The Emergency Management Office has need to maintain the security system that controls the Emergency Operations Center; and

WHEREAS: Emergency Management has the funds in their 2016 budget, however, it requires the transfer of these funds into a new 2016 budget line; and

WHEREAS: Modification of the 2016 budget requires Legislative approval; therefore be it

RESOLVED: That the 2016 budget be modified by allowing the transfer of funds as follows:

FROM: Emergency Management
A3640.540220 Automobile Fuel \$540

TO: Emergency Management
A3640.540581 Security Systems & Service \$540

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 112-16 *APPROPRIATION OF FUNDS*
MENTAL HYGIENE

WHEREAS: New York State Suicide Prevention Initiative funding has been awarded to the Tioga County Mental Hygiene Department; and

WHEREAS: The funding is specifically designated for the purchase of program deliverables; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4322 427051 Gifts and Donations	\$3,500
To: A4322 540010 Advertising	\$ 500
A4322 540485 Printing	\$ 500
A4322 540640 Supplies (Not Office)	\$1,500
A4322 540733 Training	\$1,000

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES
FINANCE COMMITTEE

RESOLUTION NO. 113-16 APPROPRIATION OF FUNDS
SOCIAL SERVICES

WHEREAS: The County of Tioga has received Federal 5311 funds granted by the Federal Transit Administration and the New York State Department of Transportation; and

WHEREAS: Federal Transit Administration and New York State Department of Transportation have granted these funds to be used to support mobility management services; and

WHEREAS: Tioga County has a contract with Rural Health Network of South Central New York to provide these services; and

WHEREAS: Appropriation of funds requires legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

A 5630.430900 State Aid-Transportation	\$ 49,677.00
A 5630.440900 Federal Aid-Transportation	\$ 397,410.00
A 5630.540140 Contracting Services	\$ 447,087.00

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 114-16 *APPROVE ADDITIONAL FUNDING FOR SUMMER
YOUTH EMPLOYMENT PROGRAMS
SOCIAL SERVICES*

WHEREAS: Additional funding has been awarded to Tioga County Department of Social Services from the Office of Temporary and Disability Assistance for Summer Youth Employment Programs; and

WHEREAS: The plan submitted for expenditure of these funds has been approved; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A6010 – 446100 Federal Aid: Administration	\$85,248
To: A6010 – 540140 Contractual	\$75,248
A6010 – 540487 Program Expense	\$10,000

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL

RESOLUTION NO. 115-16 *AUTHORIZE AND FUND
FMAS-TYLER TECHNOLOGIES
25% SOFTWARE FEES
OUT OF SOFTWARE RESERVE ACCOUNT*

WHEREAS: The Tioga County Legislature recognizes the importance of County Infrastructure; and

WHEREAS: The County has entered into a contract with Tyler Technologies for the Financial Management Accounting System; and

WHEREAS: Part of the contract is to pay 25% (\$46,921.50) of the software fees; and

WHEREAS: Funds need to be transferred from the Capital Software Reserve Fund to pay for the software fees; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the payment of software fees in the amount of \$46,921.50 to Tyler Technologies from the Capital Software Reserve Fund; and be it further

RESOLVED: That the following funds be transferred:

FROM: H387804 Capital Software Reserve Fund	\$46,921.50
TO: H1325-520620 Treasurer Capital Account	\$46,921.50

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Huttleston moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 116-16 ACCEPT AWARD OF ROADSIDE MARKER
GRANT AND APPROPRIATE FUNDS

WHEREAS: The William G. Pomeroy Foundation strongly believes that historic markers play an important role in local historic preservation by serving a dual purpose. They educate the public and foster historic tourism, which in turn can provide much needed economic benefits to the towns and villages where the markers are placed; and

WHEREAS: The program will commemorate historic people, places or things by awarding grants to install historic markers. This funding includes a standard marker, mounting pole and shipping. Grantees are responsible for the installation of the marker; and

WHEREAS: Tioga County has been awarded \$1000.00 for the 2016-2017 Historic Roadside Marker Grant Program for the World War II Project; and

WHEREAS: The funds will be used to purchase and install a historic marker on McMaster Street in Owego NY representing the residence of a World War II WAC Margaret J. Hastings; and

WHEREAS: Appropriation of funds and budget modification requires legislative approval; therefore be it

RESOLVED: That funding be appropriated and the 2016 budget be modified as follows:

A 7510 420890 Other Culture & Recreation Income \$ 1,000.00

A 7510 540640 Supplies (Not Office) \$ 1,000.00

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 117-16 AMEND POLICY 11
TRAVEL POLICY AND PROCEDURES

WHEREAS: Policy 11 Travel Policy and Procedures needs to be amended to reflect tipping/gratuity for meals; therefore be it

RESOLVED: That Policy 11 be amended as follows:

Section VII. – Meal Allowances – Add E.

E. Tioga County will pay up to 18% tipping/gratuity for meals.

And be it further

RESOLVED: That the remainder of Policy 11 Travel Policy and Procedures shall remain in full force and effect.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO 118-16 AUTHORIZATION TO SUBMIT APPLICATION AND
ADMINISTER A NEW YORK HOUSING TRUST FUND
CORPORATION- 2016 NEW YORK MAIN STREET
DOWNTOWN ANCHOR PROGRAM FOR THE 145
FRONT STREET OWEGO REVITALIZATION PROJECT

WHEREAS: The NYS Housing Trust Fund Corporation through their 2016 New York Main Street Downtown Anchor Program has made available a funding opportunity for rehabilitation of project specific key anchor buildings. This assists to establish and expand residential opportunities and business anchors, foster small business development, stimulate reinvestment, enable adaptive reuse, address Americans with Disabilities Act (ADA), address code enforcement issues, energy efficiency and to preserve and revitalize downtown, mixed-use key anchor properties; and

WHEREAS: The NYMS Downtown Anchor Program criteria allows units of government to be eligible applicants and to act as a Local Program Administrator (LPA); and

WHEREAS: The Tioga County Tourism Study (2004) recommends that our revitalization efforts follow the National Trust's Main Street Center 4-point Approach, one of which is Design: Enhancing the historic commercial district's physical appearance through building rehabilitation, compatible new construction, public improvements and design management systems; and

WHEREAS: the Tioga County Legislature has demonstrated support of the revitalization of commercial and residential properties that make up the downtown or "Main Street" areas of the county as per Resolution 159-03; and

WHEREAS: the Tioga County Legislature approved resolutions for the 2010, 2011, 2012, 2013 and 2014 NYMS Programs for the Village of Owego, Nichols and Waverly in which programs were approved, completed and/or in process; and

WHEREAS: The Tioga County Economic Development and Planning, is preparing a submittal of an application for up to \$500,000.00 in grant funding from the 2016 New York Main Street Downtown Anchor Program for the restoration and building improvements of 145 Front Street, Owego, NY site, per attached map (Attachment #1) in the Village of Owego's downtown historic central business district; and

WHEREAS: The goals of this funding source are to assist New York State communities with their project specific main street/downtown residential and commercial revitalization efforts; and

WHEREAS: The Village of Owego has initiated a coordinated effort to revitalize the Downtown Central Business District including approval of the Village of Owego Consolidated Master Plan, Village of Owego Downtown Strategic Plan and the Strategic Plan for Integrated Community Development, completion of Streetscape Improvements in 2007, administration of the Restore NY Program, support of the 2010 and 2011 NYMS Programs and the completion of the River

Walk Project. The award of a 2016 NYMS Downtown Anchor grant will be an important facet in efforts to realize their downtown revitalization goals; and

WHEREAS: The Village of Owego approved a resolution in support of this application to the 2016 NYMS Downtown Anchor Program by Tioga County and is desirous of the County conducting this activity for them; and

WHEREAS: The property owners of 145 Front Street, Owego have expressed an interest in utilizing this funding to make building improvements; and

WHEREAS: This grant source requires applicants to administer and ensure successful completion of all assisted projects by evaluation and assuring compliance with all local, state and federal laws and regulations and allows up to a 5% administrative fee as administrative revenue for providing such services; now therefore be it

RESOLVED: That the Tioga County Legislature, duly convened at a meeting hereby does:

RESOLVE, that the Tioga County Legislature hereby authorizes submission and administration of said grant to New York State Housing Trust Fund, NYMS Downtown Anchor Program in the amount of up to \$500,000.00 with a minimum 25% cash match provided by property owner and with up to 5% in administrative revenue to be received for providing such services.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 119-16 AUTHORIZE TIOGA COUNTY MATERIALS RECOVERY MANAGER TO APPLY FOR A WATER QUALITY IMPROVEMENT PROJECT (WQIP) GRANT FOR THE CONSTRUCTION OF A TRUCK WASHING BAY

WHEREAS: New York State Department of Environmental Conservation (NYSDEC) has announced the availability of grant funds through the NYS Consolidated Funding Application (CFA); and

WHEREAS: Tioga County Department of Public Works (DPW) needs a truck washing bay; and

WHEREAS: A truck washing bay would enable DPW to have good housekeeping that may possibly keep grease, oil and salt from the Catatunk Creek, Owego Creek and the Susquehanna River; and

WHEREAS: A truck washing bay would extend the life of the DPW's equipment from regular washing; and

WHEREAS: This grant can fund up to up to 75% of the total project cost for Non-Agricultural Nonpoint Source Abatement; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Materials Recovery Manager to apply and administer said grant.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 120-16 *AUTHORIZE TIOGA COUNTY MATERIALS RECOVERY MANAGER TO APPLY FOR A WATER QUALITY IMPROVEMENT PROJECT (WQIP) GRANT FOR CULVERT PROJECTS*

WHEREAS: New York State Department of Environmental Conservation (NYSDEC) has announced the availability of grant funds through the NYS Consolidated Funding Application (CFA); and

WHEREAS: Tioga County Department of Public Works (DPW) would like to replace undersized culverts on County roads; and

WHEREAS: Thru this grant DPW could upgrade/replace road stream crossing structures (culverts and bridges) to a larger size and appropriate design to increase ecological connectivity and hydrologic capacity; and

WHEREAS: This grant can fund up to up to 75% of the total project cost for Aquatic Habitat Restoration; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Materials Recovery Manager to apply and administer said grant.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 121-16 *AWARD BID FOR TRANSPORTATION SERVICES TO
EARLY INTERVENTION AND PRESCHOOL SPECIAL
EDUCATION CHILDREN'S PROGRAM
PUBLIC HEALTH*

WHEREAS: Bids have been received for the Provision of Transportation Services to Early Intervention and Pre-School Special Education Children; and

WHEREAS: The bids (pricing based on a one-way trip) were received and opened on May 31, 2016, and the bid results were as follows:

Serafini Transportation Corp.	Zone 1 \$46.12; Zone 2 - \$56.21 (Additional aide \$18.50 per hour);
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and

WHEREAS: Funds have been included in the Public Health Department budget for this service; and

WHEREAS: Serafini Transportation Corp. has been determined to be the responsible bidder proposing the lowest unit price per child based on a one-way transportation cost, and whose proposal complies with all provisions to render it formal and legal and whose proposal is considered to be in the best interest of Tioga County; and

WHEREAS: The Director of Public Health is in agreement with this determination in the provision of transportation of Tioga County's most vulnerable young citizens; therefore be it

RESOLVED: That the Tioga County Legislature authorize the Department of Public Health to enter into a contract with Serafini Transportation Corp. for the Provision of Transportation Services to Early Intervention and Preschool Special Education Children based on stated stipulated cost of \$46.12 for Zone 1 and \$56.21 for Zone 2 per one-way trip for the period of July 1, 2016 through June 30, 2019.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 122-16 APPOINT MEMBER TO THE TIOGA COUNTY BOARD
OF HEALTH
PUBLIC HEALTH

WHEREAS: Section 344 of the Public Health Law requires that members of the Board of Health shall serve six (6) year staggered terms; and

WHEREAS: Ellen Pratt, Ph.D., resigned from the Board of Health 1/19/2016; and

WHEREAS: The appointed term for Ellen Pratt, on the Board of Health expires 12/31/2016; and

WHEREAS: Thomas F. Nytych, DVM, has agreed to fill the unexpired term of Ellen Pratt; and

WHEREAS: The Board of Health voted, on May 19, 2016, to recommend to the Tioga County Legislature Thomas F. Nytych's appointment to the Board of Health; therefore be it

RESOLVED: That Thomas F. Nytych, DVM, be appointed to the Board of Health to fill the unexpired term of Ellen Pratt, Ph.D., for a term of 6/14/2016-12/31/2016.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 123-16 APPOINT MEMBER TO THE TIOGA COUNTY BOARD
OF HEALTH
PUBLIC HEALTH

WHEREAS: Section 344 of the Public Health Law requires that members of the Board of Health shall serve six (6) year staggered terms; and

WHEREAS: The Board of Health has decided to increase their membership from seven to nine in order to ensure the presence of a quorum at meetings; and

WHEREAS: Maureen Hawley, RN, has submitted an application to serve on the Board of Health and the Board has approved that application; and

WHEREAS: The Board of Health voted, on May 19, 2016, to recommend to the Tioga County Legislature Maureen Hawley's appointment to the Board of Health; therefore be it

RESOLVED: That Maureen Hawley, RN, be appointed to the Board of Health for a term of 6/14/2016-6/13/2022.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 124-16 *AUTHORIZE CREATION OF ONE (1) FULL-TIME
COMMUNITY HEALTH PROGRAM SUPERVISOR
WITHOUT INCREASE OF HEADCOUNT
PUBLIC HEALTH*

WHEREAS: Legislative approval is required for the creation of all new positions; and

WHEREAS: Resolution 92-16 eliminated a position, Director of Children with Special Needs, within the Public Health department which increased the number of staff the Deputy Director of Public Health is responsible for directly supervising; and

WHEREAS: The Public Health Director has determined that the department can be more effectively managed with the creation of a supervisor to oversee multiple community health services and related staff, including but not limited to Early Childhood programs and Public Health Education; and

WHEREAS: The Personnel Officer has reviewed the new position duties statement submitted by the Public Health Director and has determined the classification of Community Health Program Supervisor appropriately reflects the duties proposed; and

WHEREAS: Said position creation will not result in an increase to headcount as the position will be filled by an internal promotion; therefore be it

RESOLVED: That the Legislature authorizes the creation of a full-time Community Health Program Supervisor (CSEA salary grade XIII) at an annual salary of \$43,502, effective June 15, 2016; and be it further

RESOLVED: That the Public Health Director shall abolish one (1) full-time position within either Early Intervention or Public Health Education upon the permanent promotion of said incumbent from an appropriate eligible list and upon completion of a promotional probationary period in accordance with Tioga County Civil Service Rule XIV.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 125-16 *AUTHORIZE CREATION OF TEMPORARY, PART-TIME
SECRETARY TO THE COMMISSIONER OF PUBIC
WORKS
PUBLIC WORKS*

WHEREAS: Legislative approval is required for the creation of any position within Tioga County; and

WHEREAS: Jennifer Bennett will be retiring from her position as Secretary to the Commissioner effective June 30, 2016; and

WHEREAS: The position of Secretary to the Commissioner is vital to the operations of the Public Works Department; and

WHEREAS: There is a need to create a temporary, part-time Secretary to the Commissioner position, which will be filled by Mrs. Bennett in order to help train and consult her replacement; therefore be it

RESOLVED: That the Public Works Commissioner be authorized to create a temporary, part-time Secretary to the Commissioner position effective July 5, 2016 and be it further

RESOLVED: That said temporary, part-time position shall be compensated a rate of \$25.00 / hour, not to exceed \$3000.00 and be paid out of Public Works Personnel Services/part time A1490(org) 510020 (object); and be it further

RESOLVED: That the sum of \$3000.00 shall be transferred from Public Works Administration Account A1490 (org) 510010 (object) to Public Works Administration Part-time Temporary Account A1490 (org) 510020 (object); and be it further

RESOLVED: That upon exhaustion of said funds for the service of training and consulting, the temporary, part-time Secretary to the Commissioner of Public Works shall be abolished.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 126-16 APPOINT SECRETARY TO COMMISSIONER OF
PUBLIC WORKS
PUBLIC WORKS

WHEREAS: Legislative approval is required for all non-union appointments; and

WHEREAS: Jennifer Bennett will retire as Secretary to Commissioner of Public Works effective June 30, 2016; and

WHEREAS: Barb Cushman is able and willing to backfill this vacancy by promotion from her Account Clerk-Typist position (CSEA, competitive classified) into a non-union, exempt classified position; and

WHEREAS: Barb Cushman has been with Tioga County Dept. of Public Works for 14 years and has proven to be a hardworking, efficient and dedicated employee; and

WHEREAS: The salary range for the Secretary to the Commissioner of Public Works is \$29,384-\$39,384 with an average salary of \$34,384; therefore be it

RESOLVED: That the Commissioner of Public Works be authorized to appoint Ms. Cushman to the position of Secretary to Commissioner of Public Works effective June 30, 2016, at the annual non-union salary of \$34,384, which is reflective of \$5,062 increase.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:

PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 127-16

*RESOLUTION TO DECLARE WORK DAY
STATUS FOR ELECTED AND
APPOINTED OFFICIALS*

WHEREAS: Resolution 206-09 established a standard work day for elected and appointed officials for New York State and Local Employees' Retirement System reporting purposes; and

WHEREAS: New York State recently amended the regulations for retirement reporting of elected and appointed officials; and

WHEREAS: Tioga County is reviewing the amendments and current retirement reporting of elected and appointed officials to ensure compliance; and

WHEREAS: It has come to light that some positions do not have an established standard work day; therefore be it

RESOLVED: That the Tioga County Legislature hereby establishes as a standard work day for these additional elected and appointed officials for the purpose of determining days worked reportable to the New York State and Local Employees' Retirement System as follows:

Appointed Officials

Five day work week, six hour day:

Budget Officer

Director Veteran's Service

Agency

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO:

LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE

RESOLUTION NO. 128-16

STANDARD WORK DAY AND
REPORTING RESOLUTION

WHEREAS: The New York State Retirement System created new reporting regulations in 2009 that require establishment of terms and work hours for elected and appointed officials and a resolution stating such at the onset of each term; therefore be it

RESOLVED: That the County of Tioga hereby establishes the following as standard work days for elected and appointed officials, and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by the following officials to the Clerk of this body;

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
Elected Officials					
County Clerk	Andrea Klett	7	1/1/16-12/31/19	N	20.95
Legislator	Martha Sauerbrey	6	1/1/16-12/31/18	N	18.06
Legislator	Tracy Monell	6	1/1/16-12/31/18	N	7.31
Legislator	Loretta Sullivan	6	1/1/16-12/31/18	N	8.98
Legislator	Richard Huttleston	6	1/1/16-12/31/18	N	6.63
Coroner	Ryan Kline	6	1/1/16-12/31/19	N	3.31
Appointed Officials					
3 rd Assistant District Attorney	Kristen Grabowski	7	1/4/16-12/31/17	N	11.46
2 nd Assistant District Attorney	Palmer Pelella	7	11/16/15-12/31/17	N	20.77
Assistant Fire Coordinator	Kevin Ford	6	1/1/16-12/31/18	N	4.51
Budget Officer (PT)	Rita Hollenbeck	6	1/1/16-12/31/18	N	14.62
Public Defender	George Awad	6	1/1/16-12/31/18	N	17.91
Assistant Public Defender	Todd Miller	6	1/1/16-12/31/18	N	12.63
Youth Bureau Director	Maureen Hawley	7	1/1/16-12/31/18	N	11.18

I, Maureen L. Dougherty, Secretary/Clerk of the governing board of the County of Tioga, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board at a

legally convened meeting held on the 14th day of June, 2016 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Tioga County Legislature on this 14th day of June, 2016.

Tioga County Legislative Clerk

Affidavit of Posting: I, Maureen L. Dougherty, being duly sworn, depose and say that the posting of the resolution began on June 14, 2016 and continued for at least 30 days. That the resolution was available to the public on the

- Employer's website at www.tiogacountyny.com
- Official sign board at Tioga County Legislative Office.
- Main Entrance Clerk's Office at _____

Legislator Hollenbeck made a motion to amend the above resolution, seconded by Legislator Roberts and to be amended as follows:

REMOVE

"Coroner – Ryan Kline – 6 – 1/1/16/12/31/19 – N – 3.31"

ROLL CALL VOTE ON AMENDMENT

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

ROLL CALL VOTE ON RESOLUTION AS AMENDED

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Roberts made a motion to have the following late-filed resolution considered, seconded by Legislator Sullivan and carried.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:

LEGISLATIVE WORKSESSION

RESOLUTION NO. 129-16

*AUTHORIZE APPOINTMENT OF
DIRECTOR OF WEIGHTS & MEASURES I
PUBLIC HEALTH DEPARTMENT*

WHEREAS: Legislative approval is required for any appointment to a non-union position within Tioga County; and

WHEREAS: On May 30, 2016, Director of Weights & Measures resigned and since that time the Public Health Director has been actively recruiting to backfill said vacancy; and

WHEREAS: A qualified candidate has been identified and is able to accept appointment; therefore be it

RESOLVED: That Mark Griep is appointed to the title of Director of Weights & Measures I on a part-time basis at an annual non-union salary of \$13,600 effective June 27, 2016; and be it further

RESOLVED: That Mr. Griep's appointment is provisional pending the outcome of the civil service exam to be scheduled at a later date.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

The meeting was adjourned at 6:18 P.M.

Second Special Meeting
July 7, 2016

The Second Special Meeting of 2016 was called to order by the Chair at 1:00 P.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Monell for a moment of prayer. "Lord, we thank you for this day that you have given us. We thank you for the time that we have to be here and meet regarding the issues that deal with our County and our Village. We pray Lord that you would bless this meeting as we conduct the business at hand and give us wisdom to make the decisions that will be right for the people of this County."

Legislator Monell led all Legislators and those in attendance in the Pledge of Allegiance.

There were 37 people in attendance.

Chair Sauerbrey spoke. "Before we get started with this special meeting, I would like to lay out a couple of ground rules. There will be no privilege of the floor today, which means there will be no comments from the public allowed during this meeting. The Legislature will be voting today to authorize the Chair of the Tioga County Legislature to sign on behalf of the full Tioga County Legislature a letter of support for the Village of Owego to apply for a grant from the New York State Department of State Municipal Restructuring Fund for the purposes of consolidation of the Village of Owego Police Department and the Tioga County Sheriff's Department.

"I also want to make note that the Legislature is not bound by any numbers or details in the grant application as they are all subject to negotiation and vote by the Tioga County Legislature and the Village of Owego Board. I also want to make note that the abolition of the Village of Owego Police Department is subject to permissive referendum by the voters of the Village of Owego and this grant is due by July 12, 2016."

Legislative Sullivan made a motion to bring the following resolution to the floor, seconded by Legislator Monell and carried.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 130-16 *AUTHORIZE LETTER OF SUPPORT FOR
GRANT APPLICATION BY
VILLAGE OF OWEGO*

WHEREAS: The Village of Owego is seeking to apply for a grant from the New York State Department of State Municipal Restructuring Fund for the purposes of consolidation of the Village of Owego Police Department and the Tioga County Sheriff's Office; and

WHEREAS: The Tioga County Legislature would like to acknowledge support of the Village of Owego's submission of a grant application; and

WHEREAS: The Tioga County Legislature is not bound by any numbers or details in the grant application as they are all subject to negotiation and vote of the Tioga County Legislature and the Village of Owego Board; and

WHEREAS: The purpose of the grant is to study the viability of the consolidation of the Village of Owego Police Department and the Tioga County Sheriff's Department; and

WHEREAS: The abolition of the Village of Owego Police Department is subject to permissive referendum by the voters of the Village of Owego; and

WHEREAS: Said grant application is due no later than July 12, 2016; therefore be it

RESOLVED: That the Chair of the Tioga County Legislature is hereby authorized to sign, on behalf of the Tioga County Legislature, a Letter of Support, to indicate the support of the Tioga County Legislature of the said grant application by the Village of Owego.

Legislator Mullen spoke. "After much consternation and discussion with many people on this subject, it has boiled down to one thing for me, the Village of Owego residents. The grant application requires that the Village residents vote for it or against it. They are the people that are represented by the Village of Owego Board and the County Legislature. Therefore and for that reason only will I support that we vote for this grant application because if we do not that is not a guarantee to the Village of Owego residents where they will have a say in

this matter. I believe that they should have a say in this matter. It is their Village, their Police Department.

"The only other thing that I would add, in this process this will not cost the County residents one red cent or my vote will be no. The Village of Owego is not going to get a stipend. They have a Police Department or Police services from the County. If they can afford it and pay for it, and it is agreed upon by all parties, then the answer is yes. This is not a vote to get rid of the Police Department. This is a vote to do this properly and put this to bed finally. Yes or no, the people get to say yes or no. You are the ones who pay the taxes in the Village of Owego. The only guaranteed way that the Village residents get a say is to vote yes for this grant application."

Legislator Sullivan spoke. "I have some questions and comments. Do I address either the Village Board or their Attorney, I have a question on a technical matter? It is in regards to the grant itself and it appears that there are two tracks that this grant can take, either a fast track or a venture track. Can someone tell me whether you are going down that venture track or the fast track?"

The Village Attorney spoke. "I will respond to that, the Mayor was unable to be here today, so I am going to speak in his absence. You are right, we had those discussions with State officials. There are two different tracks. At this point we have been advised by the State that our project would qualify more for the venture track than the fast track. Whether or not that can change in the future, I do not know, but that will be an ongoing discussion with the State. At this point in time they have advised that we take the so-called venture track."

Legislator Sullivan spoke. "To me that was important because in reading the guidelines it specifies and that track as you know has four phases, and before moving into phase 3 or phase 4 requires resolution of both Legislative bodies. Is that correct as you know it?"

The Village Attorney spoke. "Yes, that is correct and the comments made by Dennis are correct that none of this will be finalized and approved unless it comes back to the County for approval and any kind of municipal agreement. This is an application for grant funding, not approval of a contract."

Legislator Sullivan spoke. "At some point if the project continues to be viable, it could or could not come back to the Legislature for final approval or it could fade away and die if it ends up not being viable, but either way it comes back to both Legislative bodies to do a final approval. Thank you."

Legislator Standinger spoke. "I understand fully that there are a lot of political situations currently ongoing in the Village involving the Police Department and I am not going to go into these details, but relying on my education, which include a Master's Degree in Criminal Justice and also 25 years with the New York State Police and working locally here with the Police Departments, the Country is going towards community policing in Villages and concentrated metropolitan areas. The Village of Owego is a metropolitan area for Tioga County, which requires a different level of policing than is provided by the State Police or the Sheriff's Department, and in light of that it is pretty critical to maintain that level of service for the residents and I think that any study is going to demonstrate that. I think I have basically given you my opinion of this whole situation in regards to that. I am fully aware of all the things that are going on behind the scenes here. Thank you."

Legislator Weston spoke. "I feel that the resolution is for information gathering only. At this point as far as the County is concerned, I firmly believe that it is a home rule decision and the people, the residents, the voting residents of the Village of Owego should be the ones making the decision. Therefore I will vote yes on the resolution to use the outside funds in order to make a determination and then from there the ball court is all empty and vacant and then the teams will come out to do whatever they want them to do or however they want to work or whatever the propositions might be."

Legislator Huttleston spoke. "I was originally going to vote no for this the other day when I found out about it, but since then we had the meeting today, we got the resolution and I made it clear to Dennis, Marte and everybody the purpose of the resolution. It is basically just to apply for a grant and there were some things added to the resolution regarding whether you have a Police Department in the Village or not is up to the residents, and that is what I want to make sure that the residents have that say. It is their Village, it is not my Village. It is your Village and you have the right to have an addendum and vote yes or no.

"All this is doing is applying for a grant and I understand if the grant is approved then there will be a lot of things that will have to be drawn up regarding. First, the residents have got to vote for it and once it is approved then we have to have a relationship between the Tioga County Legislature, the Sheriff's Department, the Mayor and the Village of Owego, but up to this point I think some of the contacts I have, they were not aware and I want to make sure that this is nothing more than applying for a grant, which we do all the time in the County and sometimes you get approval of grants, sometimes you do not. Every Department is constantly applying for grants and I think sometimes if there is a grant out there, if you do not take advantage of it, if it is a helpful grant, then it is good for all parties in the final decision. Thank you."

Chair Sauerbrey spoke. "Before I close discussion I would like to make a comment or two. I do represent the Village of Owego and I am concerned about the safety and well-being of our citizens. I have heard from many of you this week. I have called a Trustee, I have had some conversations with people, and it is very emotional for all of us, but let me share something with you. The last few years this issue has been brought to us on several occasions. It takes a lot of time, it takes a lot of investigation, and there is always a lot of controversy. I am ready for that to be over. This option gives us an opportunity to investigate and discern if a consolidation plan would work or be effective, or it would be affordable by the Village or the County. This is the time to make the decision. The fact finding will come together. Then the citizens get to say yes or no, and then it is done and then we do not have to deal with it anymore."

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Sullivan, Weston, Hollenbeck, and Huttleston.

No – Legislator Standing.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 1:14 P.M.

Seventh Regular Meeting
July 12, 2016

The Seventh Regular Meeting of 2016 was held on July 12, 2016 and was called to order by the Chair at 12:00 P.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Monell to have a moment of prayer. "Lord, we thank you for another day that we can meet together. We pray that you would bless this time that we have, help us to make sound and smart decisions for the County and the people that we represent. We pray that you would just bless this time and bless each one that is here."

Legislator Monell led all Legislators and those in attendance in the Pledge of Allegiance.

There were 8 people in attendance.

Legislator Standinger read and presented the following Proclamation on "The 50th Anniversary of the Public Health Department" to Lisa McCafferty, Public Health Director.

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: This year marks the 50th Anniversary of the Tioga County Public Health Department; and

WHEREAS: The mission of the department is to protect and promote the health and well-being of our community through advocacy, education, enforcement, prevention and partnerships, in conjunction with the support of the Tioga County Legislature; and,

WHEREAS: We strive to provide the ten essential services of public health:

1. Monitor health status to identify and solve community health problems
2. Diagnose and investigate health problems and health hazards in the community
3. Inform, educate, and empower people about health issues
4. Mobilize community partnerships and action to identify and solve health problems
5. Develop policies and plans that support individual and community health efforts
6. Enforce laws and regulations that protect health and ensure safety.
7. Link people to needed personal health services and assure the provision of health care when otherwise unavailable
8. Assure competent public and personal health care workforce
9. Evaluate effectiveness, accessibility, and quality of personal and population-based health services
10. Research for new insights and innovative solutions to health problems;

now therefore

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim July 2016 as

THE 50TH ANNIVERSARY OF THE PUBLIC HEALTH DEPARTMENT

and extends our sincere gratitude and appreciation to the original Public Health Department and our past and current employees for their dedication and service to the residents of Tioga County over the past 50 years.

Legislator Standinger spoke. "I would like to compliment the Health Department on a lot of the activities they are involved in. I go to a lot of different meetings and I will say that they really care about the public. That is an important thing."

Lisa McCafferty, Public Health Director spoke. "Thank you very much. I just want to offer my congratulations to Tioga County, 50 years of commitment to population-based prevention initiatives, focused on the community and the environment. Thank you to the Legislature, the community and the employees for your support. 50 years is awesome for public health, so kudos to all of you. Thank you."

Chair Sauerbrey noted the following Proclamation on World Hepatitis Day.

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: Viral hepatitis is a global killer, which claims the lives of 1.4 million per year, more than HIV/AIDs or malaria; and

WHEREAS: Unlike many other illnesses there is a highly effective preventative vaccine and treatment available for hepatitis B and with a cure for hepatitis C, the elimination of these cancer-causing diseases can be achieved within our lifetime; and

WHEREAS: Only 5 % of people infected with Hepatitis are aware of their infection; and

WHEREAS: In 2010 the World Health Organization made World Hepatitis Day one of only four official disease-specific world health days, to be celebrated each year on the 28th of July. Millions of people across the world now take part in World Hepatitis Day, to raise awareness about viral hepatitis, and to call for access to treatment, better prevention programs and government action; and

WHEREAS: 2016 is a pivotal year for viral hepatitis. At the World Health Assembly in May, WHO Member States are set to adopt the first ever elimination strategy for Viral Hepatitis, with ambitious targets and a goal to eliminate hepatitis as a public health threat by 2030. This will be the first time national governments sign up and commit to the goal of eliminating viral hepatitis; now therefore

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim July 28, 2016, as

WORLD HEPATITIS DAY

and urges all residents to take steps to educate themselves, their families and the community about Hepatitis awareness and increased diagnosis.

Donald Russell had privilege of the floor. "I just have one question. Does anybody on this Legislature drive Pennsylvania Avenue to Little Meadows, from Mr. Roberts business on the corner to Little Meadows? When the flood happened they replaced the crossover pipes. I think it is time that this County put in their budget to get them milled and get that fixed. Drive your vehicles out there and see how it is. It keeps getting patched. Now it needs to be milled up and done the right way. I mean, I got a 2016 truck. Every time I hit one of them things doing the speed limit it throws it all over the place and I do not know how many other people in this County, whatever, drive that road, but it is a disgrace. That is all I want to say. It needs to be fixed, come on.

"How long ago was that that them pipes were put in? I spoke to Mr. Roberts and he has been bringing it up, bringing it up and nothing keeps getting done. I do not understand why. Is there more important things somewhere else? I mean I do not see them out working around, I mean they are just now getting out and mowing the edges of the roads. What is going on here? I mean I got 35 years' experience in running heavy equipment and doing blacktop, concrete, everything. It is a disgrace. I would not be proud if I was this Legislature about that road. That is all I got to say. Thank you."

Legislator Monell made a motion to approve the minutes of June 14, 2016, seconded by Legislator Standing, and carried.

Chair Sauerbrey stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 131-16 APPOINT MEMBER TO THE TIOGA COUNTY BOARD OF HEALTH
PUBLIC HEALTH

WHEREAS: Section 344 of the Public Health Law requires that members of the Board of Health shall serve six (6) year staggered terms; and

WHEREAS: The Board of Health has decided to increase their membership from seven to nine in order to ensure the presence of a quorum at meetings; and

WHEREAS: Kevin Millar, RN, has submitted an application to serve on the Board of Health and the Board has approved that application; and

WHEREAS: The Board of Health voted, on June 16, 2016, to recommend to the Tioga County Legislature Kevin Millar's appointment to the Board of Health; therefore be it

RESOLVED: That Kevin Millar, RN, be appointed to the Board of Health for a term of 7/12/2016-7/12/2022.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 132-16 APPOINT MEMBER TO THE TIOGA COUNTY LOCAL DEVELOPMENT CORPORATON (TCLDC)

WHEREAS: Debra Twigg has resigned from the Tioga County Local Development Corporation as of May 5, 2016; and

WHEREAS: The Tioga County Local Development Corporation Board of Directors has found Jessica Schillmoeller willing and able to fill said vacancy; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Jessica Schillmoeller to fill said vacancy and serve the remainder of Debra Twigg's unexpired term effective July 13, 2016 – March 31, 2017.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

RESOLUTION NO. 133-16 *APPOINT MEMBER YOUTH BOARD
YOUTH BUREAU*

WHEREAS: The Tioga County Youth Board is organized as an advisory body to the Tioga County Youth Bureau; and

WHEREAS: The purpose of the Youth Board is to carry out the provision of Section 95 of the General Municipal Law of the State of New York and Resolution No. 140 of 1981 of the Tioga County Legislature; and

WHEREAS: The Tioga County Youth Board Bylaws provides for representatives to the Youth Board be appointed by the County Legislature; and

WHEREAS: The County Legislature previously appointed members to the Youth Board under Resolution No. 29-16 and vacancies exist; now therefore be it

RESOLVED: That the following listed representative be appointed as a member of the Tioga County Youth Board with the corresponding term of office consistent with the requirement of staggered rotation.

TERM

Julia Massaro (Replacing Whitney Bauer) 07/01/2016 – 12/31/2019

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Huttleston moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO: 134-16 *TRANSFER OF FUNDS*
PURCHASE OF OFFICE CHAIRS
COUNTY CLERK

WHEREAS: The County Clerk office needs to replace the six staff desk chairs; and

WHEREAS: The County Clerk has money in their budget for the purchase of these chairs and such funds need to be moved into an equipment account; therefore be it

RESOLVED: That the County Clerk be authorized to purchase six chairs at a total amount not to exceed \$1,250.00 and that the following sums be transferred:

From: A1410 - 540520 Recording/Microfilm	\$ 500.00
A1410 – 540660 Telephone	\$ 750.00
To: A1410 – 520070 Chairs	\$1,250.00

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 135-16 *APPROPRIATION OF FUNDS*
PUBLIC HEALTH

WHEREAS: Tioga County Public Health has been awarded funding from the Dick and Marion Meltzer Fund of the Community Foundation for South Central New York; and

WHEREAS: The funding is specifically designated for Child Passenger Safety; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4012 422800 Grants - Health Education \$ 4,950

To: A4012 540640 Health Education: Supplies \$ 4,950

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 136-16 *APPROPRIATION OF FUNDS*
PUBLIC HEALTH

WHEREAS: Tioga County Public Health has been awarded funding from the Floyd "Vic" Hooker Foundation; and

WHEREAS: The funding is specifically designated for Child Passenger Safety; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4012 422800	Grants - Health Education	\$ 5,000
To: A4012 540640	Health Education: Supplies	\$ 5,000

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO:	HEALTH & HUMAN SERVICES COMMITTEE FINANCE COMMITTEE
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RESOLUTION NO. 137-16	<i>APPROPRIATION OF FUNDS PUBLIC HEALTH</i>
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WHEREAS: Tioga County Public Health has been awarded funding from the Pickert-Hickock Fund of the Community Foundation for South Central New York; and

WHEREAS: The funding is specifically designated for the Tioga Smiles Dental Fluoride Varnish services; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4064 422800	Grants - Dental	\$ 10,000
To: A4064 540640	Dental Services: Supplies	\$ 10,000

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 138-16 APPROVE FUNDING
 2016 YOUTH BUREAU PROGRAM FUNDING
 INCREASE

WHEREAS: The Tioga County Legislature approves Youth Bureau program funding which is 100% reimbursable from the New York State Office of Children and Family Services; and

WHEREAS: The Tioga County Youth Bureau's 2016 program funding was initially approved by Resolution 101-16; and

WHEREAS: New York State Office of Children and Family Services has now increased funding for County sponsored Youth Bureau programs; and

WHEREAS: The Tioga County Youth Board, in consultation with the Department of Social Services, has recommended the following programs have the previously approved allocation increased by the amounts below to utilize this increased allocation

Tioga Central School District Summer Recreation	\$1,716
Waverly Summer Recreation	\$1,716
Town of Owego Summer Camp	<u>\$1,716</u>
TOTAL	\$5,148

Therefore be it

RESOLVED: That the above programs, as recommended by the Tioga County Youth Board, be approved by the Tioga County Legislature for this increased funding in the amounts indicated above and that funding be appropriated as follows:

From: A7310.438200 State Aid- Youth Programs \$2,269

To: A7310.541540 Reimbursements \$2,269

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS
FINANCE

RESOLUTION NO. 139-16 *PAVE NY INITIATIVE CAPITAL FUNDING*

WHEREAS: Tioga County is eligible for funding, provided under the Governor's PAVE NY initiative; and

WHEREAS: Tioga County's Apportionment of the PAVE NY initiative for SFY 2016-17 is \$270,880.57; and

WHEREAS: The price of asphalt has decreased for the 2016 construction season; and

WHEREAS: Funds are needed for paving Broad Street Extension, North Ellistown Road, and for a box culvert on Pennsylvania Avenue; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That Capital Funding be appropriated as follows:

From: H5110 435020 - State Aid County Road & Bridge \$270,880.57

TO: H5110 540001 H1607- Paving – PAVE NY \$270,880.57

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 140-16 *ADOPT THE TIOGA 2020 STRATEGIC PLAN*

WHEREAS: The Tioga County government exists to ensure the safety and well-being of the people who live, work and visit our communities and focuses on improving the quality of life for our citizens, job growth and tax base expansion; and

WHEREAS: The Tioga County government has a General Fund Budget of approximately \$68 million with over 400 employees and the development of a policy guidance document for government operations and potential partnerships is a prudent business practice; and

WHEREAS: It is in this context that it was decided the Tioga 2010 Strategic Plan, developed in 2005, needed to be updated; and

WHEREAS: The Tioga County Legislature understands that the intent of this document is to provide policy guidance in operations for all county departments to establish a countywide context for decision-making; and

WHEREAS: The consulting firm, Center for Governmental Research, worked with nearly all the Tioga County Department Heads, as well as the larger contracted County Agencies including CCE Tioga, Tioga Opportunities, Inc. and Tioga County Soil & Water Conservation District, on the plan development; and

WHEREAS: This Plan contains goals as well as associated short, long term and on-going objectives covering nearly all areas of county jurisdiction and is designed to improve service delivery of county departments for the next five years; therefore be it

RESOLVED: That the Tioga County Legislature does hereby adopt the Tioga 2020 Strategic Plan.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 141-16 *CONTRACT WITH EXCELLUS BLUE CROSS/BLUE SHIELD TO ADMINISTER HEALTH INSURANCE BENEFITS*

WHEREAS: Tioga County uses the service of Excellus Blue Cross Blue Shield of Central New York to administer health insurance benefits for Tioga County including a Medicare Blue PPO plan; and

WHEREAS: Excellus Blue Cross Blue Shield of Central New York plans to submit a new contract to administer fully insured benefits for Tioga County employees for the period of January 1, 2017 through December 31, 2017; and

WHEREAS: These are contractual benefits for Tioga County union employees; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with Excellus Blue Cross Blue Shield of Central New York, subject to review by the County Attorney, to administer health insurance benefits for Tioga County for the period January 1, 2017 through December 31, 2017.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES
COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 142-16 ABOLISH ONE (1) VACANT FULL-TIME
CERTIFIED ALCOHOL & DRUG
COUNSELOR AND CREATE ONE (1)
FULL-TIME CLINICAL SOCIAL WORKER
DEPARTMENT OF MENTAL HYGIENE

WHEREAS: Legislative approval is required to abolish and create any positions within Tioga County; and

WHEREAS: A Certified Alcohol & Drug Counselor position (CSEA SG XI, \$39,795 – 40,495) became vacant in December 2015 and since that time the Department of Mental Hygiene has been unable to recruit for this position due to a lack of qualified candidates; and

WHEREAS: Upon review of departmental needs, the Director of Community Services has determined that said vacancy would be better utilized and prove less difficult to recruit and retain if classified as a Clinical Social Worker position; therefore be it

RESOLVED: That one (1) vacant full-time Certified Alcohol & Drug Counselor position shall be abolished and one (1) full-time Clinical Social Worker position (CSEA SG XVI, \$52,013 - \$52,713) shall be created effective July 13, 2016.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck made a motion to have the following late-filed resolutions considered, seconded by Legislator Sullivan and carried.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO:

LEGISLATIVE WORKSESSION

RESOLUTION NO. 143-16

*AWARD AND AUTHORIZE CONTRACT WITH
THE BONADIO GROUP*

WHEREAS: Tioga County issued a Request for Proposals (RFP) for services to conduct a Risk Assessment and Audit of Compliance to establish a baseline objective assessment of risk, identify threats and vulnerabilities to Tioga County information security and evaluate Tioga County's compliance with County policies and Federal and State information security requirements; and

WHEREAS: Tioga County received six proposals in response to the RFP from:

The Bonadio Group	\$ 15,750
Semel Consulting	\$ 24,500
D'Arcangelo & Co.	\$ 40,360
Grey Castle	\$ 56,400
Tag Solutions	\$ 69,875
Garnet River	\$185,000

and

WHEREAS: Using the methodology set forth in the RFP and interviews conducted the evaluation committee consisting of ISO Susan Haskett, IT Director Douglas Camin and County Attorney Judith Quigley recommend that The Bonadio Group be awarded the contract; therefore be it

RESOLVED: That the Tioga County Legislature hereby awards the contract to The Bonadio Group and authorizes and directs the Chair to execute a contract, approved as to form by the Tioga County Attorney, between Tioga County and The Bonadio Group.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 144-16

*AUTHORIZE THE SALE OF COUNTY OWNED
PROPERTY LOCATED IN THE TOWN OF
BARTON TO RUTHANNE DOBRZENSKY-
SCRIVENER & GERALD BRIAN DOBRZENSKY*

WHEREAS: Property located in the Town of Barton transferred to Tioga County, identified as Tax Map number 123.00-1-7.113, parcel number 1845 owes, 2014 and 2015 taxes and is past the last date of redemption; and

WHEREAS: The County has been approached by Gerald Brian Dobrzensky and Ruthanne Jo Dobrzensky, who has made an offer to purchase back their property for \$1,500.00, "as is", thereby placing the property back on the tax rolls; be it therefore

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$1,500.00 and recording costs of \$185.00, a Quit Claim Deed conveying the property transferred to Tioga County, located in the, Town of Barton, identified on the Town of Barton Tax Map as number 123.00-1-7.113 parcel number 1845, to Gerald Brian Dobrzensky and Ruthanne Jo Dobrzensky or assigns.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:

FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 145-16

*AUTHORIZE THE SALE OF COUNTY OWNED
PROPERTY LOCATED IN THE TOWN OF
TIOGA TO CHARLES BROWNE*

WHEREAS: Property located in the Town of Tioga transferred to Tioga County, identified as Tax Map number 127.00-1-26, parcel number 662 owes 2014, 2015 and 2016 taxes and is past the last date of redemption; and

WHEREAS: The County has been approached by Charles Browne, who has made an offer to purchase back his property for \$2,100, "as is", thereby placing the property back on the tax rolls; be it therefore

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$2,100 and recording costs of \$310.00, a Quit Claim Deed conveying the property transferred to Tioga County, located in the, Town of Tioga, identified on the Town of Tioga Tax Map as number 127.00-1-26 parcel number 662, to Charles Browne or assigns.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 146-16 *AUTHORIZE THE SALE OF COUNTY OWNED
PROPERTY LOCATED IN THE TOWN OF
CANDOR TO STEVEN T MANNING*

WHEREAS: Property located in the Town of Candor transferred to Tioga County, identified as Tax Map number 27.03-1-75, parcel number 1250 owes 2014, 2015 and 2016 taxes and is past the last date of redemption; and

WHEREAS: The County has been approached by Steven T. Manning, who has made an offer to purchase back his property for \$14,000, "as is", thereby placing the property back on the tax rolls; be it therefore

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$14,000 and recording costs of \$185.00, a Quit Claim Deed conveying the property transferred to Tioga County, located in the, Town of Candor, identified on the Town of Candor Tax Map as number 27.03-1-75 parcel number 1250, to Steven T. Manning or assigns.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 147-16 *AUTHORIZE SALE OF COUNTY
OWNED PROPERTIES ACQUIRED
FOR DELINQUENT TAXES*

WHEREAS: Tioga County is the owner of numerous properties which it has acquired for delinquent taxes, which are surplus to the County needs; and

WHEREAS: It is the intent of the Tioga County Legislature to place the properties back on the tax rolls; be it therefore

RESOLVED: That the following properties be sold at public auction to be held in the Edward D. Hubbard Auditorium in the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York on August 4, 2016 at 6:00 p.m. conducted by Manasse Auctioneers.

Town of Barton:

144.00-1-19.10, Henry W. Campbell
166.19-4-17, Timothy B. Pipher & Belinda M Pipher
166.18-2-2, Debra L. Rumsey
166.16-3-55, Charles T. Zimmer III
166.15-4-12, Robert M Schultz

Town of Berkshire

31.07-1-9, Raymond G. Ceurter & Barbara J. Ceurter
22.00-2-18.22, Richard C. Hulbert

Town of Candor:

73.00-1-34.60, Robert V. Fattibene
38.00-1-23, Robert J. Johnson
70.00-1-9, Robert E. Schumacher
61.09-2-31, Frank Sorrentino
37.00-1-16.10, Frank Sorrentino

Town of Newark Valley:

55.00-1-6.90, Anatoly Atamansky
42.00-1-46.20, David Clark & Julie Knapp Clark

Town of Owego:

96.00-2-30.2, Patrick J. Bidwell & Krista L Stepanovsky
128.08-7-81, Sonja Mammen
85.00-1-54, Anna M. Marini
128.12-1-19, Chester Moesch/ Timothy Blair & Bonnie Blair
128.08-3-36, Farida Nisar /Riffat UL Muntaha Qureshi
107.00-2-41, Kenneth Padgett
107.00-2-42, Kenneth Padgett
128.08-4-42, Kenneth E Smith & Mary G Smith
128.08-3-71, Susquehanna Horizons, Inc.
164.00-2-22.2, Richard H. Tyler & Lori J Tyler
128.08-3-91, Dale Wales & Amy Wales

Town of Richford:

5.00-1-9.11, Randy Armitage

Town of Spencer

92.00-1-10.10, Milne Grier

Town of Tioga

158.00-1-22, Grace Barr
115.00-2-18, Floyd R Pond
117.11-2-11, Lynn & Terry Rhodes

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, and Huttleston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:13 P.M.

Eighth Regular Meeting
August 9, 2016

The Eighth Regular Meeting of 2016 was held on August 9, 2016 and was called to order by the Chair at 12:00 P.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Roberts to have a moment of prayer. "I would ask for a moment of silence for John Scott."

Legislator Roberts led all Legislators and those in attendance in the Pledge of Allegiance.

There were 51 people in attendance.

Chair Sauerbrey noted the following recognition resolution for Edward White.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 148-16 *RESOLUTION RECOGNIZING EDWARD
WHITE'S 24 YEARS OF DEDICATED
SERVICE TO TIOGA COUNTY*

WHEREAS: Edward White started his employment with Tioga County as a Laborer July 13, 1992 and worked his way up to Heavy Equipment Operator III; and

WHEREAS: Edward White has been very dedicated and loyal in the performance of his duties and responsibilities during the past 24 years to the Public Works Department; and

WHEREAS: Mr. White will retire on July 31, 2016; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Edward White for his 24 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Edward White.

ROLL CALL VOTE

Unanimously Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standinger read and presented the following recognition resolution to Gail Barton of the Department of Social Services.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 149-16 *RECOGNIZE GAIL BARTON*
DEPARTMENT OF SOCIAL SERVICES

WHEREAS: Gail Barton began her career with the Tioga County Department of Social Services on June 6, 1977 as a Social Services Examiner, and was promoted to Case Worker on May 22, 1978, and was promoted to Grade B Supervisor on November 1, 1982, and was promoted to Director of Social Services on February 17, 1989; and

WHEREAS: Gail Barton was appointed Deputy Commissioner on March 27, 2000; and

WHEREAS: Gail Barton served as Acting Commissioner of the Tioga County Department of Social Services from December 30, 2002 to January 20, 2003; and

WHEREAS: Gail Barton was again appointed Deputy Commissioner on January 21, 2003; and

WHEREAS: Gail Barton has been a dedicated and loyal employee for over thirty-nine years, with over twenty-seven of those years in the role of Director of Social Services and Deputy Commissioner; and

WHEREAS: Gail Barton's experience, expertise and strong work ethic has consistently placed Tioga County as a top performer in Child Welfare outcomes

across the State of New York, working diligently with her staff to keep children and adults safe and promote family well-being; and

WHEREAS: Gail Barton has served on numerous community Boards during her tenure including Tioga County Cornell Cooperative Extension, Tioga County Rural Ministry, Tioga Opportunities, Tioga County Community Services Board, The Family and Children's Society and Family Enrichment Network; and

WHEREAS: Gail Barton was selected as Tioga County Employee of the Year in 1998; and

WHEREAS: Gail Barton has worked tirelessly throughout her thirty-nine year career with Tioga County, promoting innovative and effective Child Welfare programming that has improved the lives of countless children and families throughout the County; and

WHEREAS: Gail Barton will retire on August 31, 2016; now therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Gail Barton for her thirty-nine years of dedicated and loyal service to the Tioga County Department of Social Services and its most vulnerable citizens; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this loyal, dedicated and outstanding employee, Gail Barton.

ROLL CALL VOTE

Unanimously Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standinger spoke. "I just want to say a couple of words about Gail and I will be kind because I know the man standing to her right will probably roast her a little bit. In my prior career with the State Police I worked frequently with Gail on different issues, mostly involving children and child abuse. I will say that she is a true professional. We are going to miss her a lot. I am sure she will enjoy her retirement with her husband, but I probably ought to talk to

him a little bit about that. Being retired myself I know how it is. Now she is going to be bossing you around instead of DSS. I am happy for you Gail."

Shawn Yetter, Commissioner of Social Services spoke. "In the Spring of 1977 when Jimmy Carter was President and over 30 of our current employees had not yet been born, that is the only roast piece there is going to be, Gail began her career with the Tioga County Department of Social Services. When then Commissioner Eisenberg signed off on that appointment, I am sure no one knew not even Gail that that was the beginning of what would be a long and dedicated career to serving the children and families of Tioga County.

"I will not repeat what was read in her recognition resolution, but I will state that what was mentioned is just the tip of the iceberg as to Gail's commitment to work and community, and most importantly to children and families. Gail believes strongly in community involvement and volunteerism. She has taken to countless organizations both through her professional life and personal life the same passion and energy that she has brought to the workplace, and I have said this before, but it bears repeating, Gail Barton is one of the most respected children's services directors in the State of New York and not only will be missed by us in Tioga County, but by countless peers and many counties across the State as well as by State staff.

"Speaking of being missed, Gail will be incredibly missed by her fellow administrators, her team of supervisors, and all her staff. To countless staff over the years, Gail has served as teacher, mentor, cheerleader, sounding board, consoler, baker, and once in a while disciplinarian. She has created long lasting friendships and with whichever role she found herself in she has earned a measurable respect. Although our professional relationship certainly goes back further, it has been my good fortune and my privilege to have Gail by my side as Deputy for my entire tenure as Commissioner. It has been thirteen and a half years filled with every possible emotion, which we will reflect on privately, but publicly I must say this, Gail's work ethic is unmatched and when I or anyone for that matter needed her she was there for 39 years. I did not know Gail on her first day of work, but I will know her on her last day of work.

"I can confidently say that she will walk out our doors in 2016 with the same passion and energy she possessed when she first walked through our doors in 1977 and she has worked tirelessly every day in between. I told Gail that my comments today would be brief out of emotional necessity, but more so because it is important that you hear from her. It is her day. I will conclude by saying that the Legislature and the people of Tioga County are so very fortunate to have had Gail serving in every capacity that she has served over the past 39 years. From the depth of our collective hearts thank you Gail."

Gail Barton, Deputy Commissioner of Social Services, spoke. "Well, thank you very much for such kind words, sincerely appreciated. It has truly been a blessing and a privilege to work for Tioga County. I want to sincerely thank the entire Tioga County Legislature for their support and I would like to express special gratitude to Legislators Dick Huttleston and Bill Standinger for the work that they have done with our Department, and for always coming to our employee of the quarter recognition ceremonies and to our foster parent recognition dinners, and just the rest of the Legislature for your support of our entire department.

"39 years ago I walked into the New York State Department of Labor on North Avenue in Owego and I was looking for work. A Mrs. Perry suggested I apply for a social welfare examiner job at the County Department of Social Services. At the time I did not know what DSS was, let alone what a social welfare examiner was, but being a Liberal Arts college graduate with a degree in speech communications and no immediate job prospects related to my degree, I was more than happy to look into it. I interviewed and was hired the same day. So what began as doing the job because I needed one, very quickly became going to work because I liked what I was doing. Liked what I was doing turned into passion for the work and the mission of the department, so I stayed a while longer. You do not enjoy a career of this duration without the support, guidance, and belief in you of a lot of people. I cannot name them here due to the time it would take, but my early supervisors, the late Betty Forbes and the late Alberta Weiss are two who were instrumental in my career.

"Marcia Nickle believed I could move from being a CPS caseworker to being the supervisor of the Foster Care Adoption Unit. I have worked under four Commissioners, Allen Eisenberg, Robert Toft, Ray Case, and Shawn Yetter. I worked the longest for the late Commissioner Case. Ray set the standard for quality work, achieving results and accountability. Commissioner Yetter continued on with these expectations, but he also brought a management style where he believed in and recognized the value of employee input and the value of making the workplace more employee friendly. This has been good for the department.

"I have been Commissioner Yetter's Deputy for 13 years. I sincerely thank him for that honor and for his support and for always being accessible to me. Thank you to my secretary, Judy Westmiller for all of her hard work and for being someone I could trust and always count on, and to the other administrative and unit secretaries, past and present who have done so much for me. To my administrative team members, Natalie and Gary, that first Monday morning of retirement I am going to be missing you. To all of the DSS staff, past and current, and I want to thank so many people for coming today, I have the utmost

respect for the difficult jobs you do every day. There is so much commitment within Social Services to make a difference in the lives of the people being served. To my past and current supervisors who have worked so hard and taught me so much, I will miss you terribly.

"I have enjoyed many professional relationships and collaborating with many other agencies through the years. County departments such as Probation, the Youth Bureau, Mental Hygiene, the District Attorney's office, Law Enforcement, the Health Department, agencies such as A New Hope Center, Cornell Cooperative Extension and contract providers such as Lourdes PACT, Liberty Resources, Glove House, and Berkshire Farm. Working together we have been able to accomplish great things.

"To successfully work in the field of human services you have to have someone outside of work to talk to. Thank you to my husband for being my daily sounding board and support. He has listened to me a lot right after work for a large number of years and I have been blessed to have three stepdaughters, Amy, Courtney, and Alexis who is here today who are the people that taught me that you can love other people's children as much as you would your own. Last and most importantly I want to thank the many families, children and adults my staff and I have worked with, people who due to no fault of their own have needed the services and help our department provides and I would like to also say thank you to the counties foster and adoptive parents who have provided love and care for so many children in need.

"I wish those coming after me well, I know a new Deputy and a new Director of Services are going to do a tremendous job and I wish them well. It has been a great 39 years. I have been truly blessed. I will miss every one and miss the work tremendously, but I want to thank you for giving me this opportunity to serve Tioga County."

William Ostrander of the Employee Recognition Committee presented the Employee of the 2nd Quarter 2016 to Stephanie Carrigg of the Law Department. "I found out after I got here that there is a script for this, so I do not have the script. Tioga County Employee Recognition Committee met recently to consider an important matter and found Paralegal Stephanie Carrigg guilty on all counts of being Tioga County Employee of the 2nd Quarter. Now that the verdict has been rendered, we are going to have a backwards trial, so Stephanie would you please come down here so you face all of your accusers?"

"I am going to review some of the events leading up to Stephanie's nomination. Stephanie began her career with Tioga County on October 3, 1988 as a Clerk Typist in the Department of Social Services. She was quickly promoted to Senior Typist and then to Administrative Secretary, a position she held until

November 1997. Stephanie then entered the Law Department in Tioga County as secretary to the First Assistant County Attorney. Stephanie furthered her education throughout her employment with Tioga County. She became a Paralegal in the Law Department in 2000, a position she holds today.

"The Committee received eyewitness testimony of what has happened in the past 16 years and found that Stephanie's commitment to detail and her understanding of new developments within the law are valued attributes she brings to her work. Stephanie's coworkers described her as smart, capable, positive, upbeat, helpful, and compassionate. These are qualities that are valued by the Attorneys, caseworkers, victims and witnesses with whom Stephanie interacts. I would now like to call on Tioga County Attorney Judy Quigley to present further evidence of Stephanie's qualifications."

County Attorney Judy Quigley spoke. "I am not used to presenting evidence, I am usually on the other side of the bench. We in the Law Department are pleased and proud that Steph has been selected to be honored by this award. Steph truly deserves to be singled out as one of the best of the more than 400 employees of Tioga County. She works in the office in the Law Department that prosecutes the child abuse, neglect and support cases. Steph is one of those normally unsung heroes, quietly working behind the scenes to make it all happen, to keep the wheels of justice turning. Most people do not realize what goes into prosecuting these kinds of cases, interviewing, subpoenaing and preparing witnesses for testimony, interacting with law enforcement, caseworkers, medical professionals, Court personnel and lay witnesses, making sure that nothing is overlooked, making sure justice is done and the abused and neglected children of Tioga County are protected.

"It is hard enough that each case is heart wrenching. Some cases are just plain horrific, so the stakes are high and the consequences of failure potentially catastrophic to the children involved, and that is why everyone of those children is lucky that Steph Carrigg is working for them to prepare their cases for prosecution. Wow, how depressing is that for a job? How much pressure is that, day in and day out seeing the worst of humanity and there are a lot of people in this room I see who are faced with the same challenges every day, but here is the thing, Steph somehow is able to remain upbeat and positive despite all of it. Despite all she comes to work with a smile on her face and is ready to give it her all, and I do not know how she does it, but I know this, her smile and her positive demeanor is infectious, her work ethic is amazing, and we in Tioga County are lucky to have her on our side. Congratulations to you Steph and thank you so much for all you do for us and for the kids of Tioga County."

Bill Ostrander of the Tioga County Employee Recognition Committee spoke. "Since this is a backwards trial, the County will now pay you a fine of a gift certificate to Home Central, congratulations."

There was no privilege of the floor.

Legislator Monell made a motion to approve the minutes of July 7 and 12, 2016, seconded by Legislator Mullen, and carried.

Chair Sauerbrey stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 150-16 APPROPRIATION OF FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County Public Health has been awarded funding from NYSDOH for Public Health Emergency Preparedness and Response for Ebola-related efforts; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4070 434820 State Aid: Disease Control \$ 22,500

To: A4070 540595 Disease Control: Services Rendered \$ 22,500

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 151-16 *AWARD CONSTRUCTION TIOGA
COUNTY COURT ANNEX FLOORING
AND REQUEST CONTINGENCY FUNDS*

WHEREAS: Barton & Loguidice was hired to design repairs to the first floor of the Court Annex, located at 20 Court Street, refer to Resolution 60-16; and

WHEREAS: Due to this being an unforeseen issue the Department of Public Works did not budget for this repair; and

WHEREAS: The Commissioner of Public Works received sealed bids on July 28, 2016 and the bids came in as follows:

Lee Contracting Services	\$67,000.00
T.J. Madison Construction	\$82,000.00
Elmira Structures, Inc.	\$65,800.00

Therefore be it

RESOLVED: That the Tioga County Legislature authorizes construction for these repairs to the lowest bidder Elmira Structures, Inc., 66 Philo Road, Elmira, NY 14903 not to exceed \$65,800.00; and be it further

RESOLVED: That the Tioga County Legislature authorizes a transfer as follows:

From: A1990 540715 Contingency Account	\$65,800
To: A9950 593715 Transfer to Capital	\$65,800

From: H1620 450310 Capital Transfer	\$65,800
To: H1620 520927 Court Annex	\$65,800

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL

RESOLUTION NO. 152-16 *AUTHORIZE AND FUND PURCHASE OF
MICROSOFT WINDOWS SERVER AND
MICROSOFT OFFICE SOFTWARE LICENSES
FROM SOFTWARE RESERVE ACCOUNT*

WHEREAS: The Tioga County Legislature recognizes the importance of County infrastructure; and

WHEREAS: The County utilizes Microsoft desktop and server software for critical daily operations; and

WHEREAS: The ITCS Director has evaluated the current Microsoft licensing needs and determined a need to purchase new Microsoft software licenses; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the payment of software fees in the amount of \$136,607.14 to Dell, the holder of the Microsoft NYS OGS contract for software purchases from the Capital Software Reserve Fund for the purchase of Microsoft Windows Server licenses and Microsoft Office licenses; and be it further

RESOLVED: That the following funds be transferred:

FROM: H387804 Capital Software Reserve Fund	\$136,607.14
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TO: H1680-520620 Information Technology Capital Account	\$136,607.14
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ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 153-16 *AUTHORIZE TO HOLD JOINT
AUCTION WITH BROOME COUNTY*

WHEREAS: Broome County has offered Tioga County the ability to rejoin them with a joint auction for surplus property; and

WHEREAS: Broome County has contracted Mel Manasse & Son Auctioneers for Saturday, September 24, 2016 @ 10:00 AM; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the auction for surplus properties to be held in conjunction with Broome County on Saturday, September 24, 2016 @ 10:00 AM; and be it further

RESOLVED: That Tioga County's auction for surplus properties will be held at Broome County Highway Dept., 47 Thomas St., Chenango Bridge, NY 13745 and 0% Commission of the proceeds will be charged to the seller.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 154-16 *EXECUTE PERMANENT FACILITIES
EASEMENT WITH SHAWN AND
SUZETTE FAHEY, LLC*

WHEREAS: The Department of Public Works would like to improve the lighting in the Courthouse parking lot located at Park Street, in the Village of Owego; and

WHEREAS: Shawn and Suzette Fahey, LLC would like to improve the lighting in their parking lot located adjacent to the Courthouse parking lot; and

WHEREAS: Shawn and Suzette Fahey, LLC are willing to allow Tioga County to remove two existing light poles and fixtures from their land and install two new light poles in approximately the same location; and

WHEREAS: Shawn and Suzette Fahey, LLC wish to grant a permanent facilities easement to Tioga County for said purpose; therefore be it

RESOLVED: That the Chair of the Legislature is authorized to sign said permanent facilities easement between Shawn and Suzette Fahey, LLC and Tioga County.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 155-16 *AUTHORIZE THE SUBMISSION OF 2016-2017 PSAP OPERATIONS GRANT*

WHEREAS: The NYS Office of Interoperable and Emergency Communications has announced PSAP (Public Safety Answering Point) Operations grant funding; and

WHEREAS: Applications for this grant are required to be submitted in August; and

WHEREAS: County Policy #47 requires that a resolution be approved before any such grant application be submitted; therefore be it

RESOLVED: That the Tioga County Sheriff's Office be authorized to submit the appropriate grant application for the purpose of securing this funding, and authorizes the Chair of the Legislature to sign such application.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY

RESOLUTION NO. 156-16 *AWARD CONTRACT TO BLUE WING
FOR INTEROPERABLE RADIO GRANT
PROJECT MANAGEMENT CONSULTANT*

WHEREAS: The Tioga County Bureau of Fire submitted an Invitation for Proposal dated November 9, 2015 seeking proposals for consultant services for the Interoperable Radio Grant Project; and

WHEREAS: Proposals were received from Blue Wing and L.R. Kimball; and

WHEREAS: L. R. Kimball withdrew their proposal; and

WHEREAS: The County wishes to award the contract to Blue Wing; therefore be it

RESOLVED: That Tioga County awards the contract for the Interoperable Radio Grant Project Management Consultant to Blue Wing at a cost not to exceed \$198,000 and that the Chair of Legislature is authorized to execute a contract with Blue Wing for said services upon approval by the County Attorney; and be it further

RESOLVED: That funds be transferred as follows:

From: A3415-540140 2013 State Interoperable Comm \$198,000

To: A3415-540120 2013 State Interoperable Comm \$198,000

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 157-16 *AUTHORIZE FILING OF REPORT OF PUBLIC SAFETY OFFICER DEATH FORM (FIRE)*

WHEREAS: A tragic worksite accident resulted in the fatality of Fire Coordinator John Scott on July 20, 2016; and

WHEREAS: The U.S. Department of Justice Office offers a benefit to the families of Public Safety Officers killed while working; and

WHEREAS: The employer is required to file a report of the death using a prescribed form: *Report of Public Safety Officer Death* as the first step in the Application process; and

WHEREAS: The Tioga County Legislature is supportive of filing said form as it pertains to the accident on July 20, 2016; therefore be it

RESOLVED: That Martha Sauerbrey, Chair of the Tioga County Legislature is hereby authorized to sign and submit the Report of Public Safety Officer Death form relating to Fire Coordinator John Scott's death.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 158-16 *CONTRACT WITH EMPLOYEE NETWORK, INC. (ENI)
FOR EMPLOYEE ASSISTANCE
PROGRAM*

WHEREAS: Tioga County employees are covered under an Employee Assistance Program (EAP) that is currently administered by Employee Network, Inc. (ENI); and

WHEREAS: ENI, a company that has been providing EAP services for over 30 years and who has other NYS public sector clients, has submitted a proposal to continue providing Tioga County's EAP for 2017 at the current rate of \$1.45/per covered employee per month; and

WHEREAS: ENI can continue to provide up to 8 in-person counseling sessions for eligible employees and members of their household, along with two hours of training per year, and two hours of critical incident stress debriefing; and

WHEREAS: ENI has multiple provider offices within the local region including some in Pennsylvania where employees are able to obtain services; and

WHEREAS: The EAP is a negotiated benefit for CSEA union employees; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with ENI, subject to review by the County Attorney, to administer our Employee Assistance Program for full-time and part-time employees at a cost of \$1.45/per covered employee per month effective January 1, 2017 through December 31, 2017.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES
COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 159-16 *AUTHORIZE APPOINTMENT OF DEPUTY
COMMISSIONER OF SOCIAL
SERVICES; GRANT LEAVE OF ABSENCE
DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: Legislative approval is required for any appointment to a non-union position within Tioga County; and

WHEREAS: Gail Barton has announced that she will retire as Deputy Commissioner of Social Services effective August 29, 2016; and

WHEREAS: The Commissioner of Social Services would like to backfill this position from within his department; therefore be it

RESOLVED: That Gary Grant is appointed to the title of Deputy Commissioner of Social Services at an annual, non-union salary of \$73,275 effective September 1, 2016; and be it further

RESOLVED: That Mr. Grant shall be granted a leave of absence from his current position, Director of Administrative Services, for which he holds permanent competitive classified status; and be it further

RESOLVED: That, until further notice, the vacant Director of Administrative Services position shall be left vacant and unfunded effective September 1, 2016.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:

PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 160-16

*INCREASE HOURS WORKED
FOR DEPUTY DIRECTOR OF
EMERGENCY PREPAREDNESS;
EMERGENCY MANAGEMENT OFFICE*

WHEREAS: The Tioga County Emergency Management Office has a need to temporarily increase the hours worked for the Deputy Director of Emergency Preparedness from 8 hours per week to 17 hours per week during the period 7/9/16 to 9/2/16; and

WHEREAS: The Tioga County Emergency Management Office has sufficient funds in account A3640.510020 to cover said expense; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the temporary increase in hours for the Deputy Director of Emergency Preparedness to 17 hours per week at her current rate of pay for a cost not to exceed \$1,185 for the period 7/9/16 to 9/2/16.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 161-16 *AUTHORIZATION TO ABOLISH ONE (1) VACANT ACCOUNT CLERK-TYPIST POSITION AND CREATE ONE (1) SENIOR ACCOUNT CLERK-TYPIST PUBLIC WORKS*

WHEREAS: Legislative approval is required to abolish and create any positions within Tioga County; and

WHEREAS: An Account Clerk-Typist position (CSEA SG IV, \$25,314 – 26,014) became vacant in June 2016 within the Public Works Department and since that time, the Commissioner has reviewed his administrative needs; and

WHEREAS: The Commissioner of Public Works has submitted a New Position Duties Statement to the Personnel Officer, who has determined that the Senior Account Clerk-Typist classification accurately reflects the nature of the work to be performed; therefore be it

RESOLVED: That one (1) vacant full-time Account Clerk-Typist position shall be abolished and one (1) full-time Senior Account Clerk-Typist position (CSEA SG V, \$26,713 - \$27,413) shall be created effective August 10, 2016.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES
COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 162-16 *AUTHORIZE THE RECLASSIFICATION OF
CERTIFIED ALCOHOL & DRUG
COUNSELOR POSITION TO SENIOR
CERTIFIED ALCOHOL & DRUG
COUNSELOR
DEPARTMENT OF MENTAL HYGIENE*

WHEREAS: Legislative approval is required to reclassify any position within Tioga County; and

WHEREAS: Upon review of clinical staff and treatment programs, the Director of Community Services has identified a need to create a senior level staff person to better serve clients within the county's alcohol and substance abuse treatment programs; and

WHEREAS: The Director of Community Services has submitted a new position duties statement and upon review, the Personnel Officer has determined the classification of Senior Certified Alcohol & Drug Counselor adequately represents the tasks involved; and

WHEREAS: The Director of Community Services would like to reclassify one (1) Certified Alcohol & Drug Counselor (CSEA SG XI, \$39,795-40,495) position currently filled by the incumbent with the most seniority within her department; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the reclassification of the Certified Alcohol & Drug Counselor position, currently filled by Wayne Amendola, to the position of Senior Certified Alcohol & Drug Counselor effective August 22, 2016; and be it further

RESOLVED: That the title of Senior Certified Alcohol & Drug Counselor shall be placed in CSEA SG XIII (\$43,502 – 44,202) and that Mr. Amendola's annual salary shall be \$43,503.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 163-16 *CREATE AND FILL SEASONAL SOCIAL WELFARE EXAMINER POSITIONS AND SEASONAL TYPIST POSITION FOR THE HEAP PROGRAM DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: Legislative approval is required for the creation of any new positions within Tioga County; and

WHEREAS: The Home Energy Assistance Program (HEAP) will tentatively begin outreach in mid-August and be in full season on November 14, 2016; and

WHEREAS: The Social Services budget allows for the hiring of the following staff for the HEAP Program:

One, full-time, seasonal Social Welfare Examiner for the period September 12, 2016 through March 31, 2017 at the starting salary of \$14.09 per hour, and

One, full-time, seasonal Social Welfare Examiner for the period October 3, 2016 through February 28, 2017 at the starting salary of \$14.09 per hour, and

Two, full-time seasonal Social Welfare Examiners for the period October 17, 2016 through January 31, 2017 at the starting salary of \$14.09 per hour, and

One, full-time, Typist (Seasonal) for the period October 17, 2016 through January 31, 2017 at the starting salary of \$11.69 per hour; therefore be it

RESOLVED: That the Department of Social Services be authorized to create and fill the seasonal HEAP positions listed above and where required, appoint from the appropriate eligible list.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell made a motion to have the following late-filed resolutions considered, seconded by Legislator Hollenbeck and carried.

Legislator Huttleston moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO:

LEGISLATIVE WORKSESSION

RESOLUTION NO. 164-16

*AUTHORIZE APPOINTMENT; ELECTION
COMMISSIONER (BOARD OF ELECTIONS)*

WHEREAS: The position of Election Commissioner (Democrat) became vacant on August 9, 2016; and

WHEREAS: The Democratic Committee has selected a candidate; and

WHEREAS: Section 3-204(1) of Election Law stipulates that a new appointment shall be for the remaining balance of the existing term: and

WHEREAS: Section 3-204 (5) of Election Law indicates an appointment for the next term must occur at least 30 days prior to the expiration of the current term; therefore be it

RESOLVED: That Kristine Kwiatkowski be appointed Election Commissioner effective August 29, 2016 for the balance of the existing term, which ends December 31, 2016; and be it further

RESOLVED: That Kristine Kwiatkowski will be paid an annual salary of \$39,954; and be it further

RESOLVED: That Kristine Kwiatkowski is also hereby appointed to serve as Election Commissioner for the 2017-2018 term.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:	HEALTH & HUMAN SERVICES COMMITTEE PERSONNEL COMMITTEE FINANCE COMMITTEE
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RESOLUTION NO. 165-16	<i>AUTHORIZE FUNDING OF VACANT DIRECTOR OF SOCIAL SERVICES POSITION AND AUTHORIZE APPOINTMENT DEPARTMENT OF SOCIAL SERVICES</i>
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WHEREAS: Legislative approval is required to fund any unfunded vacancy and to authorize any appointment to a non-union position within Tioga County; and

WHEREAS: Since 2001, The Director of Social Services (non-union salary range: \$58,131-\$68,131) position has been left vacant and unfunded; however, due to an announced retirement, the Commissioner of Social Service wishes to now fund and fill said vacancy; and

WHEREAS: The position of Director of Administrative Services (non-union salary range: \$51,149-\$61,149) will become vacant on August 31, 2016 and shall be left unfunded; and

WHEREAS: The Commissioner of Social Services would like to backfill the Director of Social Services position from within his department to continue the agency's operating efficiency; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the funding of the vacant Director of Social Services position effective September 1, 2016; and be it further

RESOLVED: That Elizabeth Myers shall be provisionally appointed to the Director of Social Services effective September 1, 2016 pending successful appointment from a civil service eligible list at an annual non-union salary of \$61,573.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 166-16 *ACCEPT AUCTION BIDS FOR COUNTY
OWNED PROPERTY ACQUIRED FOR
TAXES, AUTHORIZE EXECUTION OF DEEDS*

WHEREAS: Properties acquired by Tioga County for nonpayment of taxes in the Towns of Barton, Berkshire, Candor, Newark Valley, Owego, Richford, Spencer and Tioga were offered for sale at Public Auction conducted Thursday, August 4, 2016, by the County Treasurer; and

WHEREAS: It is the intent of the Legislature to return the properties to the Tax Rolls as soon as possible; therefore be it

RESOLVED: That the following bids, being the highest made at said Auction for the several different properties offered, be and hereby are accepted and the Chair of the Tioga County Legislature authorized to sign and record, on receipt of the amount bid and recording costs, Quit Claim Deeds conveying the various parcels to the successful bidders:

<u>Prior Owner-Tax Map#</u>	<u>Purchaser</u>	<u>Bid</u>
<u>Town of Barton:</u>		
Henry W. Campbell, 144.00-1-19.10	Mark Walburn	8,500
Timothy B. Pipher, 166.19-4-17	Judy Kauppinen	8,000
Debra L. Rumsey, 166.18-2-2	JTM Enterprises	26,000
Charles T. Zimmer II, 166.16-3-55	Keith Jastremsky	12,500
Robert M. Schultz, 166.15-4-12	Keith M. Coreby	13,500
<u>Town of Berkshire</u>		
Raymond G. Ceurter, 31.07-1-9	Michelle Gehm	22,500
Richard C. Hulbert, 22.00-2-18.22	Michael Michaud	18,000
<u>Town of Candor:</u>		
Robert V. Fattibene, 73.00-1-34.60	Eric D. Slate	72,000
Robert J. Johnson, 38.00-1-23	Howard R. Leonard	4,750
Robert E. Schumacher, 70.00-1-9	Michael B. Yammine	18,000
Frank Sorrentino, 61.09-2-31	716 Fall Creek, INC	15,000
Frank Sorrentino, 37.00-1-16.10	Susquehanna Land Co.	78,000
<u>Town of Newark Valley:</u>		
Anatoly Atamansky, 55.00-1-6.90	Jason L. Harvey	15,500
David Clark, 42.00-1-46.20	Randall S. Brook	5,000
<u>Town of Owego:</u>		
Patrick J. Bidwell, 96.00-2-30.2	Michael T. Ferro	6,500
Sonja Mammen, 128.08-7-81	Robert E. Butler	8,000
Timothy Blair, 128.12-1-19	Laura B. Huizinga	48,000
Qureshi Riffat UL Muntaha, 128.08-3-36	Brett W. Relyea	5,000
Kenneth Padgett, 107.00-2-41	Matthew R. Karpel	5,250
Kenneth Padgett, 107.00-2-42	Matthew R. Karpel	9,250
Kenneth E Smith, 128.08-4-42	4345 Lake, LLC	4,000
Susquehanna Horizons, INC., 128.08-3-71	Robert E. Butler	10,000
Richard H. Tyler, 164.00-2-22.2	James A. Scheffer	5,000
Dale Wales, 128.08-3-91	Brett W. Relyea	16,500
<u>Town of Richford:</u>		
Randy Armitage, 5.00-1-9.11	Scott Land Yard Rentals	23,000
<u>Town of Spencer</u>		
Milne Grier, 92.00-1-10.10	Gregory Shipman	7,750

Prior Owner-Tax Map#	<u>Purchaser</u>	<u>Bid</u>
<u>Town of Tioga:</u>		
Grace Barr, 158.00-1-22	Brett W. Relyea	1,300
Floyd R Pond, 115.00-2-18	James B. Strong	6,500
Lynn/ Terry Rhodes, 117.11-2-11	BJKL, LLC	15,000

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:

LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 167-16

*TRANSFER OF FUNDS
SEPTEMBER 11, 2001
WORLD TRADE CENTER ATTACKS
15TH ANNIVERSARY MEMORIAL TO BE
ERECTED IN OWEGO HICKORIES PARK*

WHEREAS: The Town Supervisor of the Town of Owego made a presentation to the Legislature regarding the 15th Anniversary of the September 11, 2001 World Trade Center Attacks and the plan being developed to build a Memorial in the Owego Hickories Park; and

WHEREAS: The proposed plan is to erect a memorial to memorialize the events of 911 and to educate the generations to follow that did not experience the events of the day. The memorial will provide a place for residents to memorialize, grieve, heal and pay tribute to the fallen Americans, the first responders and the volunteers; and

WHEREAS: The Town of Owego is trying to secure \$50,000 plus in-kind services to erect this 911 memorial; and

WHEREAS: The Tioga County Legislature was in favor of donating \$2,000 for project implementation; therefore be it

WHEREAS: County Policy 47 requires Legislative approval for grant applications that require the signature of the Chief Elected Official; and

WHEREAS: The Tioga County Legislature supports TCPH in pursuing funding to provide needed services to Tioga County residents; therefore be it

RESOLVED: That Tioga County Public Health is authorized to submit a grant application to the Appalachian Regional Commission.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, and Mullen.

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

The meeting was adjourned at 10:04 A.M.

Ninth Regular Meeting
September 13, 2016

The Ninth Regular Meeting of 2016 was held on September 13, 2016 and was called to order by the Chair at 6:00 P.M. All Legislative members were present.

Chair Sauerbrey asked to have a moment of prayer. "I would like to take a moment of silence to remember those lives that were lost 15 years ago at the 9/11 experience."

Chair Sauerbrey led all Legislators and those in attendance in the Pledge of Allegiance.

There were 6 people in attendance.

Legislator Standinger read and presented the following Proclamation on Suicide Prevention Awareness Month. "I am very grateful in Tioga County we have a Suicide Coalition, which was started in the past couple of years by the Health Department and the Mental Hygiene Department."

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: Suicide is one of the most disruptive and tragic events a family and a community can experience, with more than 40,000 lives lost each year in the US and an estimated 8-25 attempted suicides for each suicide death; and

WHEREAS: Suicide is the 10th-leading cause of all deaths and the third-leading cause of death among people from the age of 15 to 24; and

WHEREAS: There have been over 25 suicides in our community in the past three years and numbers continue to rise, among people of all ages and backgrounds; and

WHEREAS: Public awareness of this terrifying problem is the key to preventing further suffering and loss of life; the risk for human self-destruction can be reduced through awareness, education and treatment; and the highest risk for suicide is among the survivors of those who died by suicide or those who have attempted suicide; and

WHEREAS: Suicide prevention has been declared a national priority by the President and Congress; and New York State declares suicide prevention as a state priority and has been identified as a top priority in improving the health of our community in Tioga County; and

WHEREAS: Tioga County Public Health and Mental Hygiene departments serve as leaders in the effort to prevent suicide, through facilitation of the Community Health Improvement Plan and the Tioga County Suicide Coalition; and

WHEREAS: The Tioga County Suicide Coalition is a collaboration of organizations working to eliminate the stigma of suicide, educate the community about the warning signs of suicide, and ultimately reduce the rate of suicide in our community; and

WHEREAS: Tioga County Mental Hygiene is committed to excellence in suicide prevention, intervention, and postintervention; now therefore

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of September 2016 as

SUICIDE PREVENTION AWARENESS MONTH

and urges all residents to take steps to educate themselves, their families, and the community about the importance of recognizing warning signs of suicide.

Legislator Standinger spoke. "In my prior career with the State Police, unfortunately I had to respond to a lot of incidents where people took their own lives and every single one of them was a tragedy. Whatever we can do to prevent that from happening and have families have to go through that is a good thing. I am glad we are issuing this Proclamation."

Wendy Arnold, Children's SPOA Coordinator/Corporate Compliance Officer for Mental Hygiene spoke. "I Co-Chair our Suicide Prevention Coalition for Tioga County with Heather Morgan from the Health Department. We work under the auspice of Tioga County Mental Hygiene. Our Tioga County Suicide Coalition has been active in offering free trainings in our community since 2013. Everyone in our community should consider being educated on the warning signs of suicide so they can have knowledge of connecting their loved ones to life saving resources. Our coalition can also offer resources to those who have had a loss by suicide, by connecting them to active support groups in surrounding counties. If anyone would like more information on how to access free training or support services, then they would simply contact our Tioga County Mental Hygiene number at 687-4000."

Heather Morgan of the Public Health Department spoke. "Thank you again for taking this opportunity for this Proclamation. As you may recall under our community health improvement plan with the Health Department, mental health and substance abuse was defined as one of our priority health issues in our community health assessment in 2013 through 2017 and under that suicide was recognized as one of our leading objectives. Through that we have been expanding our suicide coalition. There are several members, both through the community and schools, active partners that are involved in our coalition seeking to improve this expansion of our suicide coalition."

“Currently we received a grant through the State to try to come up with some different interventions and how we are going to lower the suicide rate, and as Wendy said some of the things we have been doing are offering free trainings throughout the community. One of them is called Question, Persuade, Refer where we are basically teaching the general lay person or anybody how to go out into the community and ask someone if they are suicidal. That training is available to anyone and it is completely free. There are currently two of us that are certified. There is another two people that are working on certifications for this training and it is available to county employees, it is available to businesses. We are working on promoting that training just to raise general awareness about suicide.

This past Saturday there was an event at Tioga Downs where they helped promote a race dedication night for suicide awareness and then at the end of this month on Thursday, September 29 we are going to have a vigil right out in front of the Courthouse to raise general awareness about suicide and honor those who have lost someone to suicide. You will of course see lots of information about that, most of you probably get tons of e-mails from me all the time promoting events in the County, but I really hope that you will participate in this event, as again I said and Wendy, it is very important just to bring awareness to this topic and maybe some of you have lost someone to suicide. Statistics show that every time a person passes away to suicide or their life is lost, another six people are affected by suicide. This is happening in our community and all of you I am sure at some point or maybe have been affected by it. Hopefully at some point or another you can pass this information on and we will be sure to keep you updated. If you are ever interested, our Suicide Coalition meets on the fourth Tuesday of every month. That is an open meeting so we do encourage you and invite you to attend our Coalition. Thank you.”

Lisa McCafferty, Public Health Director spoke. “I guess the only comment I am going to make about suicide that has always frustrated me the most is we talk about suicide statistics, but proportionately higher rates of suicide occur with our Veterans, and I think over the years we have kind of lost sight of that, so I guess that is one of those things that when we talk about suicide do focus on our Veterans and if you interact with Veterans, you know kind of be mindful because a lot of times there really are no signs that they are struggling and do need supportive services. Thank you very much for the Proclamation.”

There was no privilege of the floor.

Legislator Monell made a motion to approve the minutes of August 9 and 18, 2016, seconded by Legislator Sullivan, and carried.

Chair Sauerbrey stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 169-16 *AUTHORIZE TIOGA COUNTY MATERIALS RECOVERY MANAGER TO APPLY FOR STATE ASSISTANCE FROM THE STATE'S ELECTRONIC WASTE GRANT ASSISTANCE PROGRAM*

WHEREAS: The State of New York announced financial aid through their Electronic Waste Assistance Grants to assist counties and local governments with electronic waste recycling expenses; and

WHEREAS: Tioga County Department of Solid Waste (SW) has had unexpected costs associated with recycling of electronic waste; and

WHEREAS: Through this grant Solid Waste would be reimbursed 50% of their eligible costs of electronic waste recycling; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Materials Recovery Manager to apply and administer said grant.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 170-16 *AUTHORIZE TIOGA COUNTY MATERIALS RECOVERY MANAGER TO APPLY FOR BRIDGE NY GRANTS FOR BRIDGE & CULVERT PROJECTS*

WHEREAS: New York State Department of Transportation (NYSDOT) has announced the availability of grant funds through the Bridge NY Program; and

WHEREAS: This is the first year of funding in a five year program; and

WHEREAS: Tioga County Department of Public Works (DPW) would like to replace two bridges and five culverts on County roads; and

WHEREAS: Through this grant DPW could replace these structures (culverts and bridges) to support Tioga County's infrastructure; and

WHEREAS: This grant can fund up to 95% for bridges and 100% for culverts of the total project cost, not to exceed \$5 million and \$1 million, respectively ; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Materials Recovery Manager to apply and administer said grant.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 171-16 *AUTHORIZE ACCEPTANCE OF THE NYS
2015-2016 PSAP OPERATIONS GRANT*

WHEREAS: The Sheriff applied and was awarded a NYS Office of Interoperable and Emergency Communications PSAP Operations grant in the amount of \$160,339; and

WHEREAS: This funding will reimburse the E911 budget for Dispatcher personnel service costs incurred in 2016; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the acceptance of this award; and be it further

RESOLVED: That the 2016 budget be modified to reflect this state aid and that this funding be receipted with the following revenue account.

Revenue Account: A3020 433310

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 172-16 *AWARD 2016 EMERGENCY
MANAGEMENT PLANNING GRANT
EMERGENCY MANAGEMENT*

WHEREAS: The Tioga County Office of Emergency Management has been awarded a grant of \$24,151 by the New York State Office of Homeland Security and Emergency Services; and

WHEREAS: The grant will be used to offset 50% of budgeted operational costs; therefore be it

RESOLVED: That the Emergency Management Office be allowed to accept the awarded 2016 Emergency Management Planning Grant in the amount of \$24,151.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 173-16 *ALLOW THE COUNTY FIRE
COORDINATOR TO APPLY FOR
GRANT FUNDING UNDER THE 2016
NYS HOMELAND SECURITY TECHNICAL RESCUE
GRANT PROGRAM*

WHEREAS: The New York State Office of Homeland Security is offering a 2016 Technical Rescue Grant Program; and

WHEREAS: The expense of necessary equipment to be used by the Tioga County Search and Rescue – Technical Rescue Team during times of a specialized rescue incident is beyond the means of the yearly Bureau of Fire operating budget; therefore be it

RESOLVED: That the Tioga County Fire Coordinator be able to apply for and accept, after approval of the County Attorney, Technical Rescue Grant funding as the primary applicant under the currently available New York State Office of Homeland Security 2016 Technical Rescue Grant Program. This grant is to provide

needed equipment for the Tioga County Search and Rescue-Technical Rescue Team.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standing, Sullivan, Weston, Hollenbeck, Huttleston, Monell, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 174-16 APPROVE 2017 STOPDWI PLAN

WHEREAS: The New York State Governor's Traffic Safety Committee (GTSC) requires Counties to submit an annual STOP DWI Plan by October 1st, for the use of monies collected under the STOP DWI Program; and

WHEREAS: The STOP DWI Coordinator has submitted a 2017 STOP DWI Plan to the Tioga County Legislature for approval; be it therefore

RESOLVED: That the Tioga County Legislature hereby approves the 2017 STOP DWI Plan including the following budgeted appropriations:

Enforcement	\$28,000
Prosecution Related	\$14,000
Probation	\$18,427
Rehabilitation	\$13,000
PI&E	\$11,000
Administration	<u>\$ 5,450</u>
	\$89,877

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 176-16 APPROPRIATION OF FUNDS
SOCIAL SERVICES

WHEREAS: Additional funding has been awarded to Tioga County Department of Social Services from the Office of Children and Family Services for Non-Residential Domestic Violence Services; and

WHEREAS: A New Hope Center is the approved Non-Residential Domestic Violence Program in Tioga County; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A6010.446100 Federal Aid: Administration	\$ 24,999
To: A6010.540140 Contracting Services	\$ 24,999

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 177-16 AUTHORIZE SALE OF ANNA M. MARINI
PROPERTY LOCATED IN THE TOWN OF OWEGO, TO
EDWARD GOODRICH & KATHY GOODRICH
AND/OR ASSIGNS

WHEREAS: Property located in the Town of Owego assessed to Anna M. Marini, identified as Tax Map number 85.00-1-54, parcel number 2639, owes 2010, 2014, 2015 & 2016 taxes and is past the last date of redemption; and

WHEREAS: James L. Wright & Ashley Wright were the closing bidder with \$5,100 deposit paid at the Foreclosure Auction held on August 4, 2016 and have defaulted by Cancelling their Check for the Deposit and not appearing at closing; and the second bidder passed on buying said property; and

WHEREAS: The Treasurer has held a Public Auction on August 31, 2016 and the winning bidder is Edward Goodrich & Kathy Goodrich hereby making an offer to purchase said property for \$20,500, "as is", thereby placing the property back on the tax rolls; be it therefore

RESOLVED: That the County rescinds its previous resolution to sell said property to James L. Wright & Ashley Wright, the closing bidder with \$5,100, paid at the Foreclosure Auction held on August 4, 2016, by cancelling their check for the deposit and passing on closing; and be it further

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$20,500 and recording costs, a Quit Claim Deed conveying the property assessed to Anna M. Marini, located in the Town of Owego identified on the Town of Owego Tax Map as number 85.00-1-54, parcel number 2639, to Edward Goodrich & Kathy Goodrich and/or assigns.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 178–16 *URGING GOVERNOR CUOMO TO SIGN INTO LAW PUBLIC DEFENSE MANDATE RELIEF ACT (S.8114/A.10706)*

WHEREAS: It is a fundamental right of all persons in the United States to be represented by counsel in all criminal prosecutions; and in the case of *Gideon vs. Wainwright*, 372 U.S. 335, the United States Supreme Court ruled that persons who were unable to afford counsel had a constitutional right to be defended by an appointed attorney paid by the State; and

WHEREAS: The New York State Senate and Assembly have passed historic legislation entitled Public Defense Mandate Relief Act (S.8114/A.10706) which will require New York State to reimburse counties for expenditures made fulfilling the state's obligation to provide representation for those financially unable to afford counsel commencing in 2017 and incrementally reaching 100% in 2023 and thereafter; and

WHEREAS: The Public Defense Mandate Relief Act (S.8114/A.10706) will give the Indigent Legal Service Office the authority "to adopt, promulgate, amend or rescind rules and regulations to carry out the provisions of [Executive Law 832]; and

WHEREAS: The Public Defense Mandate Relief Act (S.8114/A.10706) also requires that the various counties and New York City receive an amount equal to the amount paid from the Indigent Legal Services Fund to the counties and NYC in March 2010; and

WHEREAS: New York State has previously entered into an agreement to settle the *Hurrell-Harring vs. State of New York* class action lawsuit and has begun to expend substantial amounts of State funds to create a more equitable and Constitutional system of representation in only the five settlement counties and creating an unequal system of justice in the remaining counties of the State; and

WHEREAS: By entering into such agreement and funding additional services in only the five settlement counties, the State acknowledges that it is constitutionally required to fund public defense services for mandated representation; and

WHEREAS: Requiring counties subject to a State-imposed tax cap to finance the State's obligation to provide public defense services imposes a significant, uncontrollable financial burden on counties dependent on real property taxes to fund needed services; both problems would be remedied under the Public Defense Mandate Relief Act (S.8114/A.10706) as passed by the New York State Senate and Assembly; now therefore be it

RESOLVED: That the Tioga County Legislature hereby strongly urges Governor Cuomo to sign the Public Defense Mandate Relief Act (S.8114/A.10706) when it is delivered to him, fulfilling the State's obligation under *Gideon vs. Wainwright*, 372 U.S. 335, relieving the taxpayers of Tioga County and the other counties of the State and New York City to fund this State mandate; and be it further

RESOLVED: That a copy of this resolution be sent to Governor Andrew Cuomo, Senate Majority Leader Flanagan, Assembly Speaker Heastie, Assemblyman Chris Friend, Senator Fred Akshar, the New York State Office of Indigent Legal Services (ILS), the New York State Defenders Association (NYSDA), the Chief Defenders Association of New York (CDANY), and the New York State Association of Counties (NYSAC).

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO:

FINANCE/LEGAL

RESOLUTION NO. 179-16

*AUTHORIZATION TO RENEW CONTRACT WITH LEXIS
NEXIS FOR SUBSCRIPTION TO LEXIS ADVANCE*

WHEREAS: The County is desirous of renewing the County wide subscription to Lexis Advance for a three year period at a monthly cost not to exceed \$1092.80; now therefore be it

RESOLVED: That the Chair of the Legislature is authorized to execute a three year contract for a subscription to Lexis Advance at a cost not to exceed \$1092.80 per month.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 180-16 ESTABLISH EQUALIZATION RATES

RESOLVED: That under the provisions of Section 804 of the Real Property Tax Law, equalization rates for the purpose of apportioning 2017 County taxes among the several Towns are hereby established as follows:

Town of Barton	85.00
Town of Berkshire	100.00
Town of Candor	100.00
Town of Newark Valley	70.00
Town of Nichols	23.50
Town of Owego	75.90
Town of Richford	98.00
Town of Spencer	95.00
Town of Tioga	7.00

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 181-16 AMENDING POLICY 56
POLICY, PROCEDURE AND REGULATIONS
FOR INTERNSHIPS

WHEREAS: The Legislature wishes to amend Policy 56; therefore be it

RESOLVED: That the second paragraph of Section I of Policy 56 is amended to read as follows:

Departments will be considered for participation in internship and career explorations and experience programs, with Legislative Committee approval, if such program is:

- a. Unpaid; and
- b. Part of an accredited academic or vocational program for which the intern receives academic or vocational credit. *On a case by case basis, the Legislative Committee may waive this requirement.*

And be it further

RESOLVED: That the first paragraph of Section II of Policy 56 is amended to read as follows:

If a Department Head desires to host or participate in an internship or experience program, the following information must be provided to the Legislative Committee by the Department Head as planned for by the Department Head and/or solicited from the intern's academic or vocational program:

- Name of the sponsoring academic or vocational program or school, unless requirement has been waived as stated in Section 1
- Name of the program/class, unless requirement has been waived as stated in Section 1
- Name of the academic/vocational faculty member supervising the intern, unless requirement has been waived as stated in Section 1
- Length of the internship
- Program requirements, such as:
 - Minimum/maximum hours
 - County oversight needed or time devoted by Department staff

- Reports required of the department by the sponsoring academic/vocational program, unless requirement has been waived as stated in Section 1
- Expected duties of the intern while at the County
- Plan for supervision of the intern during the program

And be it further

RESOLVED: That the third paragraph of Section II of Policy 56 is amended to read as follows:

If approval is received from the Legislative Committee, the Department Head must submit the Contract/Agreement from the academic/vocational institute, *or if such requirement has been waived, from the intern* to the County Attorney for review and approval prior to commencement of the internship.

And be it further

RESOLVED: That the remainder of Policy 56 shall remain in full force and effect.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 182-16 *AUTHORIZE CONTRACT WITH THE HARTFORD TO ADMINISTER MEDICARE ELIGIBLE RETIREE HEALTH INSURANCE*

WHEREAS: Effective January 1, 2014 Tioga County implemented The Hartford Medicare Supplemental Plan F coupled with a drug plan with \$5/\$15/\$30 co-pays for Medicare eligible retirees and retirees' spouses; and

WHEREAS: This Medicare plan continues to provide optimal coverage to Medicare eligible retirees at a lower cost to Tioga County than previous coverage offered; and

WHEREAS: The Hartford has submitted a new contract to administer the Medicare Supplemental Plan F and drug plan with \$5/\$15/\$30 co-pays for the period of January 1, 2017 through December 31, 2017; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with The Hartford, subject to review by the County Attorney, to administer these insurance benefits for Tioga County for the period January 1, 2017 through December 31, 2017.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:

FINANCE COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 183-16

*AMEND RESO #107-16;
EXTEND TEMPORARY POSITION
(TREASURER'S OFFICE)*

WHEREAS: Resolution #107-16 established a temporary full-time Clerk position in the Treasurer's Office for the period May 23 – September 2, 2016; and

WHEREAS: Unforeseen circumstances have created a need to extend this position on a part-time basis beyond September 2; therefore be it

RESOLVED: That the temporary Clerk position in the Treasurer's Office shall continue through October 31, 2016 on a part-time basis (no more than 10 hours per week) at the same hourly rate of pay.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO:

PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 184-16

*BACKFILL PART TIME
ASSISTANT FIRE COORDINATOR
BUREAU OF FIRE*

WHEREAS: The Tioga County Bureau of Fire has a need to backfill the part-time Assistant Fire Coordinator position due to the retirement of the incumbent; and

WHEREAS: The Acting Fire Coordinator has identified a qualified candidate who has been found to meet the minimum qualifications of the part-time Assistant Fire Coordinator title; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the backfill of the part-time Assistant Fire Coordinator with Robert Byrnes effective September 19, 2016, at an annual non-union salary of \$2,600.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO:

PERSONNEL COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 185-16

*AUTHORIZE APPOINTMENT OF
ACCOUNTANT
TREASURER'S OFFICE*

WHEREAS: Legislative approval is required for any appointment to a non-union position within Tioga County; and

WHEREAS: The position of Accountant became vacant as of August 19, 2016 within the Treasurer's Office; and

WHEREAS: The Treasurer has conducted a recruitment search and has identified a qualified candidate; therefore be it

RESOLVED: That Danielle Duffek is provisionally appointed to the title of Accountant, pending successful completion of civil service examination requirements, at an annual, non-union salary of \$38,800, effective September 19, 2016; and be it further

RESOLVED: That in addition to any salary increase due Ms. Duffek in accordance with County Policy, Ms. Duffek shall be eligible for a \$2,000 increase in annual salary upon appointment from the Civil Service Eligible List.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 186-16 *APPOINT PART-TIME FIRE
COORDINATOR
BUERAU OF FIRE*

WHEREAS: The position of part-time Fire Coordinator became vacant on July 20, 2016; and

WHEREAS: The Legislature has selected a candidate that meets the qualifications and is willing and able to accept the position; therefore be it

RESOLVED: That Frank Okrasinski is hereby appointed part-time County Fire Coordinator effective September 19, 2016 at an annual, non-union, salary of \$12,000.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 187-16 *CREATE AND FILL TEMPORARY PART-TIME POSITION
(BUREAU OF FIRE)*

WHEREAS: Connie Fedorowicz has submitted her resignation from her Assistant Fire Coordinator position effective September 16, 2016; and

WHEREAS: The Fire Coordinator has asked Connie to train her replacement; and

WHEREAS: The Legislature has approved up to 20 hours of training; therefore be it

RESOLVED: That one temporary part-time position of Assistant Fire Coordinator is hereby created effective September 19 – October 14, 2016 to work no more than a total of 20 hours at an hourly rate of \$25/hour.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 6:16 P.M.

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Carol Luther for her over 28 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Carol Luther.

ROLL CALL VOTE

Unanimously Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Chris Korba, Director of Administrative Services for Mental Hygiene, spoke. "Someone else was supposed to have a speech prepared so this on the spot. I just want to recognize Carol as an outstanding employee. She is extremely dedicated, very very loyal. She goes above and beyond. We can ask her to do any job function and she does it without complaint. She works in the Records Department, but she is asked to cover the front desk, she will be asked to go to Waverly and help cover for sick employees. She just jumps right in and without complaint just picks up the workload and just goes. She is going to be greatly missed because all our employees do not have that same dedication that she does and she just goes above and beyond, something that will be sorely missed for our Department. She is a very valuable asset. Thank you Carol."

Legislator Standinger read and presented the following Proclamation on Healthy and Safe Fall Season in Tioga County to Lisa McCafferty, Public Health Director.

County of Tioga EXECUTIVE PROCLAMATION

WHEREAS: The health and safety of our citizens is of primary concern for the County of Tioga; and

WHEREAS: Tioga County embodies all that the Fall season has to offer; and

WHEREAS: The Fall bounty of pumpkins, carrots, cabbage, apples and more boast healthy nutrients and are grown here and sold at local produce markets. Supporting sustainable family farms and local agriculture benefits the local economy; and

WHEREAS: The health of our citizens can be further enriched by the benefits of walking Tioga County walkways and trails to enjoy the Fall colors found surrounding the area; and

WHEREAS: Pedestrians, and especially hunters, are to wear bright orange vests during the shortening days and opening of hunting season to prevent injury; therefore be it resolved that

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of October, 2016 as the start of a

HEALTHY AND SAFE FALL SEASON IN TIOGA COUNTY

and encourages all residents to visit local produce markets for healthy Fall produce and to safely enjoy the Fall season on Tioga County walkways and trails.

Legislator Standinger spoke. "I will say this about Tioga County it is a beautiful place to live and we are very fortunate that we live here. It is so beautiful that this young lady here Lisa has moved to Tioga County from Florida. That is certainly an improvement for her. We should be aware of the beauty we have around us."

Lisa McCafferty, Public Health Director, spoke. "Thank you everyone. We appreciate this and I think the Proclamation sums it up, just enjoy the fall weather, enjoy the County and what it has to offer for everyone."

There was no privilege of the floor.

Legislator Sullivan made a motion to approve the minutes of September 13, 2016, seconded by Legislator Mullen, and carried.

Chair Sauerbrey made the following appointment to the MEGA Board:

Ellen Pratt – 10/12/16 to 11/12/17

Chair Sauerbrey stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

From: ED&P Account A6422 - 540420 \$250.00

To: ED&P Account A6422 - 520070 \$250.00

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 191-16 TRANSFER OF FUNDS
DISTRICT ATTORNEY

WHEREAS: The District Attorney's Office has a need for a safe for trial evidence and confidential documents; and

WHEREAS: The District Attorney's budget does not have sufficient funds in their office equipment account; therefore be it

RESOLVED: That the District Attorney be authorized to purchase a safe for trial evidence and confidential documents at a cost not to exceed \$735.00 and that following sums be transferred from within the District Attorney's budget to cover the costs of the safe:

From: A1165 540140 Contracting Services \$734.95

To: A1165 520200 Office Equipment \$734.95

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 193-16 *AUTHORIZE DRAW-DOWN FOR FINANCIAL MANAGEMENT ACCOUNTING SYSTEM (FMAS)*

WHEREAS: Tioga County established a Financial Management Accounting System (FMAS) Capital Reserve Account; and

WHEREAS: Tioga County is incurring expenses from Tyler Technologies, Inc. for Support and Update Licensing Services, Unlimited Client access maintenance, and System Management Services Support; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chief Accountant/Budget Officer and Tioga County's Project Manager to transfer funds out of the Financial Management Accounting System (FMAS) Capital Reserve Account H387808 into the dedicated FMAS Capital Account H1325 520095 for 2016 in the amount of \$65,765.00 as a drawdown to fund the following:

Support and Update Licensing	\$50,936.63
Unlimited Client Access Maintenance	\$ 2,700.00
System Management Services Support	\$12,127.50
 2016 Drawdown	 \$65,765.00

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 194-16 *AUTHORIZE 2017 TAX MAP MAINTENANCE CONTRACT*

RESOLVED: That the Chair of the Tioga County Legislature hereby is authorized to enter into a Tioga County tax map maintenance contract with MRB Group, for the calendar year 2017 for an annual charge of \$32,000. Payable monthly, which contract will provide for straight transfers, transfer splits, filed maps and surveys, revision forms, tax map revisions, inquiries, contract revision and fee, all subject to the approval of the County Attorney.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 195-16 *AWARD HHS STANDBY GENERATOR INSTALLATION TO DIEKOW ELECTRIC*

WHEREAS: Tioga County has budgeted for a standby generator for the HHS building; and

WHEREAS: The Commissioner of Public Works received sealed bids on August 30, 2016 and the bids came in as follows:

Diekow Electric	\$88,800.00
Nelcorp Electric	\$99,600.00
Blanding Electric	\$110,850.00

And

WHEREAS: The Deputy Commissioner of Public Works has completed the review of the bids and finds the low bidder Diekow Electric, Marathon, NY meets all of the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorizes installation of the standby generator to the lowest bidder Diekow Electric, 375 US Highway 11, Suite 1, Marathon, NY 13803 not to exceed \$88,800.00 to be paid out of H1621 520923 HHS Standby Generator.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 196-16 *TRANSFER FUNDS FOR THE HHS STANDBY
GENERATOR
INSTALLATION*

WHEREAS: Tioga County has budgeted for a standby generator for the HHS building; and

WHEREAS: The Commissioner of Public Works received sealed bids on August 30, 2016 for the installation of the generator which came in higher than anticipated; and

WHEREAS: The Carry Forward Capital Funds need to be transferred to the correct capital account and:

WHEREAS: The HHS Standby generator is a critical project; therefore be it

RESOLVED: That the Tioga County Legislature authorize the following transfer of funds:

FROM: Road Machinery 1 Ton Truck H5130 521909 \$30,000.00
TO: HHS Standby Generator H1621 520923 \$30,000.00
FROM: Standby Generator H1620 520923 \$150,000.00
TO: HHS Standby Generator H1621 520923 \$150,000.00

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 197-16

*AWARD CONTRACT TO LABELLA
ASSOCIATES FOR INSPECTION SERVICES OF
THE HHS GENERATOR INSTALLATION*

WHEREAS: Tioga County has budgeted for a standby generator for the HHS building; and

WHEREAS: Labella Associates did the design phase for this project; and

WHEREAS: The Commissioner of Public Works received a proposal for the inspection services for the HHS standby generator project; therefore be it

RESOLVED: That the Tioga County Legislature award the inspection services contract to Labella Associates, Rochester, NY 14614 in the amount of \$13,975 to be paid out of the HHS Contracting Services line item A1621.540140.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 198-16

*APPROVE CHANGE ORDER FOR
CODDINGTON ROAD BRIDGE*

WHEREAS: The construction of Coddington Road Bridge was awarded on resolution 194-15 to Economy Paving; and

WHEREAS: A change order was submitted due to additional work that was unforeseen during design; therefore be it

RESOLVED: That the Tioga County Legislature authorize additional funds be appropriated for this change order not to exceed \$62,000 to be paid out of the Coddington Road Bridge Account H5110.540002.H1408.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 199-16 AWARD CONTRACT FOR SUBSTANCE ABUSE
PREVENTION PROGRAM TIOGA COUNTY

WHEREAS: Proposals have been received for the provision a of substance abuse prevention program in Tioga County; and

WHEREAS: The proposals were received by September 16, 2016 and reviewed by the Award/Review Committee, and the proposals were received as follows:

Council on Alcohol and Substance Abuse of Livingston County, d.b.a.
Trinity
Family Counseling Services of Cortland County, Inc.
Our Lady of Lourdes Memorial Hospital, Inc.

and

WHEREAS: Trinity has been determined to be the agency that will best meet the needs and interests of Tioga County and whose proposal complied with all requirements; and

WHEREAS: The Director of Community Services is in agreement with this determination for the provision of substance abuse prevention services to Tioga County's youth; therefore be it

RESOLVED: That the Tioga County Legislature authorize the Department of Mental Hygiene to enter into a contract with Council on Alcohol and Substance Abuse of Livingston County, d.b.a., Trinity for the provision of Substance Abuse Prevention services.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY

RESOLUTION NO. 200-16 *AUTHORIZE EXECUTION OF
EASEMENT BETWEEN TIOGA
COUNTY AND NICHOLAS CALDERONE*

WHEREAS: The Tioga County Fire Bureau has received a Statewide Interoperable Communications Grant, Project No. S112-1024-D00; and

WHEREAS: As part of the improvement to the Candor Communications Tower Site it is necessary to obtain an easement for access to the site across properties owned by Nicholas Calderone in the Town of Candor, Tioga County; and

WHEREAS: Nicholas Calderone has agreed to provide said easement to Tioga County for the sum of \$1.00 consideration; now therefore be it

RESOLVED: That the Chair of the Tioga County Legislature is hereby authorized and directed to execute any and all documents, approved as to form by the County Attorney, to acquire from Nicholas Calderone an easement for access to the Candor Tower site across his property located in the Town of Candor, Tioga County, for \$1.00 consideration.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC SAFETY

RESOLUTION NO. 201-16 *AUTHORIZE EXECUTION OF
EASEMENT BETWEEN TIOGA
COUNTY AND RICHARD AND
HOPE VANSKOY*

WHEREAS: The Tioga County Fire Bureau has received a Statewide Interoperable Communications Grant, Project No. S112-1024-D00; and

WHEREAS: As part of the improvement to the Candor Communications Tower Site it is necessary to obtain an easement for access to the site across properties owned by Richard and Hope VanScoy in the Town of Candor, Tioga County; and

WHEREAS: Richard and Hope VanScoy have agreed to provide said easement to Tioga County for the sum of \$1.00 consideration; now therefore be it

RESOLVED: That the Chair of the Tioga County Legislature is hereby authorized and directed to execute any and all documents, approved as to form by the County Attorney, to acquire from Richard and Hope VanScoy an easement for access to the Candor Tower site across their property located in the Town of Candor, Tioga County, for \$1.00 consideration.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:	PUBLIC SAFETY
RESOLUTION NO. -16	AUTHORIZE EXECUTION OF AGREEMENT WITH RENSSELAER COUNTY TO PIGGYBACK OFF RENSSELAER COUNTY BID

WHEREAS: The Tioga County Fire Bureau has received a Statewide Interoperable Communications Grant, Project No. S112-1024-D00; and

WHEREAS: Certain purchases of equipment are necessary to upgrade the communications towers; and

WHEREAS: Rensselaer County has competitively bid much of the same equipment that Tioga County requires, and it appears to be both cost and time effective to purchase certain equipment off the Rensselaer County bid; and

WHEREAS: Such piggybacking is permitted under General Municipal Law 103 upon agreement by both counties; now therefore be it

RESOLVED: That the Chair of the Tioga County Legislature is authorized to execute an agreement with Rensselaer County, subject to approval as to form by the County Attorney, to authorize Tioga County Fire Bureau to purchase the following items of equipment from the Rensselaer County bid:

1. Emergency Power Generators for Communications: Rensselaer County RFB #15-37
2. Shelters for Communications Sites: Rensselaer County RFB #15-40
3. Communications Towers: Rensselaer County RFB #15-41

Legislator Monell made a motion to withdraw the above resolution, seconded by Legislator Sullivan.

ROLL CALL VOTE TO WITHDRAW

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – None.

RESOLUTION TO WITHDRAW APPROVED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:

PUBLIC SAFETY

RESOLUTION NO. 202-16

*AUTHORIZE ACQUISITION OF PROPERTY
FOR CANDOR COMMUNICATIONS
TOWER SITE*

WHEREAS: The Tioga County Fire Bureau has received a Statewide Interoperable Communications Grant, Project No. S112-1024-D00 to improve the Communications Towers throughout Tioga County; and

WHEREAS: As part of the improvement to the Candor Communications Tower Site it is necessary, appropriate and for a lawful County purpose to acquire from the Candor Fire Company, Inc. a/k/a The Candor Fire Company, title in fee to the site upon which the Candor Communications Tower Facility will be located in the Town of Candor, Tioga County, together with the right of way for access to the Tower Site; therefore be it

RESOLVED: That the Chair of the Tioga County Legislature is hereby authorized and directed to execute any and all documents, approved as to form by the County Attorney, to acquire from The Candor Fire Company title in fee to the Candor Communications Tower site, together with the right of way for access, located in the Town of Candor, Tioga County, for \$1.00 consideration.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 203-16 APPOINT MEMBER TO YOUTH BOARD
YOUTH BUREAU

WHEREAS: The Tioga County Youth Board is organized as an advisory body to the Tioga County Youth Bureau; and

WHEREAS: The purpose of the Youth Board is to carry out the provision of Section 95 of the General Municipal Law of the State of New York and Resolution No. 140 of 1981 of the Tioga County Legislature; and

WHEREAS: The Tioga County Youth Board Bylaws provides for representatives to the Youth Board be appointed by the County Legislature; and

WHEREAS: The County Legislature previously appointed members to the Youth Board under Resolution No. 133-16 and vacancies exist; now therefore be it

RESOLVED: That the following listed representative be appointed as a member of the Tioga County Youth Board with the corresponding term of office consistent with the requirement of staggered rotation and to complete the unexpired term of the incumbent being replaced.

	<u>TERM</u>
Tiffani Ruffle (Replacing Barbara Crannell)	10/01/16-12/31/17

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 204-16 *AMEND COUNTY POLICY 44:
NON-UNION BENEFITS*

WHEREAS: New Fair Labor Standards Act (FLSA) regulations take effect December 1, 2016 which will pertain to salaried non-union employees; and

WHEREAS: The new regulations establish a salary threshold of \$47,476 for determining overtime/comp time eligibility for hours worked over 40 in any work week; and

WHEREAS: The County has decided non-union employees earning less than \$47,476 shall only be eligible to earn comp time (as allowed for by the FLSA) and not be paid for hours in excess of 40 per week; and

WHEREAS: County Policy 44 currently indicates that all non-union staff are “ineligible for overtime and comp time”; therefore be it

RESOLVED: That County Policy 44, Section 1, first paragraph be amended to read as follows:

“In accordance with the Fair Labor Standards Act (FLSA), non-union employees earning less than the minimum salary threshold shall be eligible for comp time at a rate of time and a half for any hours worked over 40 in a given work week (Saturday–Friday); these employees are considered Non-Exempt. Non-Exempt non-union employees are not eligible to be compensated for comp time. Exempt non-union employees are salaried and ineligible for overtime or comp time; the expectation is Exempt employees will work the number of hours necessary to get their jobs done.”

and be it further

RESOLVED: That a new paragraph two shall be added and read as follows:

“Salary ranges are reviewed annually to determine if adjustment is necessary. Individual salaries will be reviewed as needed.”

and be it further

RESOLVED: That the remainder of Policy 44 shall remain in full force and effect.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 205-16 *AUTHORIZE PURCHASE OF SPECIFIC EXCESS AND EMPLOYERS' LIABILITY INSURANCE FOR WORKERS' COMPENSATION PROGRAM*

WHEREAS: The Tioga County Self-Insurance Plan's excess insurance policy and employers' liability insurance policy expire December 31, 2016; and

WHEREAS: The Tioga County Self-Insurance Plan by-laws allow the committee to purchase excess or catastrophic insurance; and

WHEREAS: The continuance of both excess and employers' liability insurance policies help to limit exposure to the Tioga County Self-Insurance Plan; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to purchase specific excess insurance and employers' liability insurance, subject to review by the County Attorney, from an A- Rated or better insurance company for the period of January 1, 2017 through December 31, 2017 to be paid for out of the 2017 Tioga County Self-Insurance budget.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 206-16 *CONTRACT WITH LIFETIME BENEFIT SOLUTIONS,
INC. TO ADMINISTER FLEXIBLE SPENDING AND
HEALTH REIMBURSEMENT ACCOUNT PROGRAMS*

WHEREAS: Tioga County currently uses the services of Lifetime Benefit Solutions, Inc. to administer Tioga County's flexible-spending and health reimbursement account programs; and

WHEREAS: Lifetime Benefit Solutions, Inc. has submitted a new contract to continue administering said programs and conduct all required compliance testing services; and

WHEREAS: The administration cost will be \$4.45 per participant per month for any employees enrolled in the flexible spending and \$4.45 per participant per month for any employees enrolled in the health reimbursement account; and

WHEREAS: The Flexible-Spending program is a negotiated benefit for all Tioga County unionized employees; and

WHEREAS: The Health Reimbursement Account is a negotiated benefit for CSEA union employees; and

WHEREAS: Both the employees and the County can save tax dollars on money channeled through the flexible spending program; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with Lifetime Benefit Solutions, Inc., subject to review by the County Attorney, for the services stated above for the period of January 1, 2017 through December 31, 2017; and be it further

RESOLVED: That Tioga County will continue with the flexible spending card for the period of January 1, 2017 through December 31, 2017.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 207-16 *AUTHORIZE CONTRACT WITH POMCO
FOR WORKERS'
COMPENSATION ADMINISTRATION*

WHEREAS: The Tioga County Self-Insurance Plan has been using the services of POMCO, a third-party administrator for our workers' compensation program, since January 1, 2003; and

WHEREAS: POMCO representatives have a dedicated in-house team of supervisors, claims adjusters, case managers, and medical bill auditors that work together to provide effective proactive management on all workers' compensation claims; and

WHEREAS: POMCO communicates with all representatives of the Tioga County Self-Insurance Plan to ensure that cases are handled as desired by the self-insured employer; and

WHEREAS: POMCO actively works to recoup any medical savings or recover any funds under New York State Workers' Compensation Law on our workers' compensation cases; and

WHEREAS: POMCO has submitted a five year contract, 2017 through 2021, keeping their service fees flat for the five year period with an optional two one-year renewals; and

WHEREAS: The Council of Governments approved at their September 2016 meeting to continue the workers' compensation third-party administrator services with POMCO; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a five year contract with POMCO, subject to review by the County Attorney, to be our third party administrator for the Tioga County Self Insurance Plan, for the period of January 1, 2017 through December 31, 2021 at a flat per year plan administration, claim handling, and reporting cost of \$19,775.00 for 2017 through 2021.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO:

HEALTH & HUMAN SERVICES
COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 208-16

*ABOLISH ONE (1) FULL-TIME
SENIOR DATA ENTRY MACHINE
OPERATOR POSITION AND CREATE
ONE (1) FULL-TIME SENIOR ACCOUNT
CLERK-TYPIST POSITION
DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: Legislative approval is required for the abolishment and creation of any new position within Tioga County; and

WHEREAS: A Senior Data Entry Machine Operator position, CSEA salary grade V (\$26,713-\$27,413) has been vacant within the Department of Social Services since June 24, 2016; and

WHEREAS: Upon review of departmental needs, it has been determined that said vacancy would be better utilized if it was abolished and a Senior Account Clerk-Typist position, CSEA salary grade V (\$26,713-\$27,413) was created; therefore be it

RESOLVED: That the vacant full-time Senior Data Entry Machine Operator position shall be abolished and a full-time Senior Account Clerk-Typist position shall be created effective October 12, 2016; and be it further

RESOLVED: That the Senior Account Clerk-Typist position shall be filled according to County Policy regarding new hires.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Huttleston moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO:	LEGISLATIVE WORKSESSION
RESOLUTION NO. 209-16	<i>AUTHORIZE APPOINTMENT OF DIRECTOR OF VETERANS SERVICE AGENCY VETERANS SERVICES</i>

WHEREAS: Legislative approval is required for any appointment to a non-union position within Tioga County; and

WHEREAS: On August 31, 2016, the Director of Veterans Service Agency resigned and since that time the county has been actively recruiting to backfill said vacancy; and

WHEREAS: A qualified candidate has been identified and is able to accept appointment; therefore be it

RESOLVED: That John Holton, Sr. is appointed to the title of Director of Veterans Service Agency on a part-time basis at an annual, non-union salary of \$14,316.00 effective October 17, 2016; and be it further

RESOLVED: In accordance with Policy 44, Mr. Holton shall not receive a salary increase on January 1, 2017, and instead will be evaluated within six (6) months in order to determine a salary increase at that time.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 210-16 AMEND RESOLUTION 163-16
DEPARTMENT OF SOCIAL SERVICES

WHEREAS: Legislative approval has been given per Resolution # 163-16 to create and fill Seasonal HEAP positions; and

WHEREAS: Said resolution authorized two full-time Social Welfare Examiners and one full-time Typist (Seasonal) positions will be authorized from October 17, 2016 through January 31, 2017; and

WHEREAS: Upon review of the departmental needs associated with the HEAP Program, Social Services is requesting a change in the positions as follows for the time period of October 17, 2016 through January 31, 2017:

One, full-time, Social Welfare Examiner for the period October 17, 2016 through January 31, 2017, at the starting salary of \$14.09 per hour, and

Two, full-time, Typists (Seasonal) for the period, October 17, 2016 through January 31, 2017, at the starting salary of \$11.69 per hour; therefore be it

RESOLVED: That Resolution 163-16 is amended to reflect that one, full-time Social Welfare Examiner and two, full-time Typists (Seasonal) shall be authorized for employment from October 17, 2016 through January 31, 2017 and that the remainder of Resolution 163-16 shall remain in full force and effect.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 211-16 *AUTHORIZE RECLASSIFICATION OF ONE (1) FULL-TIME VACANCY TO THREE (3) PART-TIME POSITIONS
MENTAL HYGIENE*

WHEREAS: Legislative approval is required to reclassify positions within Tioga County; and

WHEREAS: Due to an announced retirement, a full-time Records Management Clerk position (CSEA SG VI \$28,826-\$29,526) will become vacant within the Mental Hygiene Department effective October 29, 2016; and

WHEREAS: To better meet the needs of the department, the Director of Community Services has determined that said vacancy would provide greater efficiencies if it was restructured into three (3) part-time positions, all of which were classified as Account Clerk-Typists (\$12.37/hour); and

WHEREAS: The net savings of such a reclassification would be \$37,903 based on salary and fringe of the employee vacating the position; therefore be it

RESOLVED: That the one (1) vacant position of Records Management Clerk in the Mental Hygiene Department shall be reclassified into three (3), part-time Account Clerk-Typist (PT) positions at an hourly rate of \$12.37, effective October 31, 2016; and be it further

RESOLVED: That the 2016 headcount figures for Mental Hygiene shall change from 31 to 30 for full-time and from 0 to 3 for part-time.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:

PUBLIC WORKS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 212-16

*CREATE AND FILL TEMPORARY, FULL-TIME
MAINTENANCE MECHANIC I
POSITION
PUBLIC WORKS*

WHEREAS: Legislative approval is required for the creation of any new position within Tioga County; and

WHEREAS: Due to an employee's extended leave of absence, the Commissioner of Public Works is in need of a temporary Maintenance Mechanic I to ensure the needs of the county's facilities are efficiently maintained; therefore be it

RESOLVED: That the Commissioner of Public Works is hereby authorized to create and fill one (1) temporary, full-time Maintenance Mechanic I position effective October 17, 2016 at an hourly rate of \$14.02; and be it further

RESOLVED: That said temporary position shall terminate once the employee's leave of absence has concluded, but shall not continue beyond October 16, 2017.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:20 P.M.

Eleventh Regular Meeting
November 15, 2016

The Eleventh Regular Meeting of 2016 was held on November 15, 2016 and was called to order by the Chair at 12:00 P.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Sullivan to have a moment of prayer. "Heavenly Father we ask that you be with us today as we conduct the County's business. In the month of November we remember those who have gone before us, those we have lost. We ask that you look down mercifully upon those that we have lost and be with the rest of us to guide us as we continue on."

Legislator Sullivan led all Legislators and those in attendance in the Pledge of Allegiance.

There were 62 people in attendance.

Chair Sauerbrey asked for a unanimous motion for the following recognition resolution, seconded unanimously and carried.

Chair Sauerbrey read and presented the following recognition resolution to Karen Scott on behalf of her husband, John Scott, for a posthumous recognition.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO:	LEGISLATIVE WORKSESSION
RESOLUTION NO. 213-16	<i>RECOGNITION RESOLUTION RECOGNIZING JOHN V. SCOTT, TIOGA COUNTY FIRE COORDINATOR POSTHUMOUSLY</i>

WHEREAS: John V. Scott passed away on July 20, 2016; and

WHEREAS: The Tioga County Legislature would like to posthumously recognize Mr. Scott for his many years of dedicated service as Tioga County Fire Coordinator; and

WHEREAS: John was appointed to the position of Tioga County Fire Coordinator on February 8, 1999 and served Tioga County in this capacity for 17 years; and

WHEREAS: John was a member and past Chief of the Campville Fire Department for 46 years; and

WHEREAS: John was a member of the New York State Association of Fire Chiefs and Chairman of the NYS AFC annual Fire Conference. He was also a member of FASNY. He served as a member of the Tioga County Search & Rescue and HAZMAT; and

WHEREAS: John was a leader, a mentor, a favored friend to all the firefighters he encountered, guiding and advising them as they developed the skills of firefighting; and

WHEREAS: John is survived by his wife, Karen and his daughter Denise; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude and recognize John V. Scott posthumously for his years of dedicated service to Tioga County as Tioga County Fire Coordinator; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to the family of John V. Scott.

ROLL CALL VOTE

Unanimously Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standing spoke. "I will keep this brief. I will say that I first kind of met John in my prior career with the State Police and he was a dedicated fireman. I think that is probably the best thing I can say about John because he was dedicated. He gave us a lot of years of service in this County to the people that reside here and I will say one thing "fantastic" because that is what he always said before our committee meetings. He was always a bright light and unfortunately he is not here with us, but we have a lot of stories to tell about him. Thank you."

Frank Okrasinski, Fire Coordinator spoke. "In order to keep this short I wrote it down. I first met John in 1983 when I became a member of the County Fire Investigation Team. I was really new to that kind of stuff and did not know anything and John explained that it is just a puzzle and there are some pieces missing, so keep looking, you will find it. Later on John became a Commissioner for the Town of Owego Fire District and at that time I was the Southside Fire Chief, so at the same time I became the Senior Fire Investigator. It got quite confusing sometimes because sometimes I was John's boss and sometimes he was my boss.

"We had an investigation one Sunday up in Dryden. Tompkins County did not have a team at the time so they called us to go help them and it was a fire supposedly started by a juvenile at a park structure in Dryden, and they thought that the juvenile was using gasoline. By the way the State Police found him walking down the street with a bottle of ginger ale that looked funny and it really smelled funny and he refused to drink it, but anyway they heard that we had some equipment that could find the gasoline leftover from a fire. I called John and he knew how to use the equipment better than I did, so I called John and I said how about you come up and help me. We will not be long. Well, it was a really nice outhouse and it really had a nice holding tank underneath it, and neither John or I crawled in too close with the sniffer to find out. I guess it is needless to say that when I tried to get my budget through that year I had to explain a lot of details.

"John became the Fire Coordinator as we saw in 1999 and us Deputy Coordinators started calling him the boss. Well, he was not bossy, it was just to remind him that he was the leader and he was responsible for us. He always gave orders with please or can you, or would you, if you do not mind, those kind of things. He never asked us to do anything that he would not do and he hardly ever missed a meeting, investigation, search or Hazmat call. John became well known throughout the State with his New York State Association of Fire Chiefs and even with that he kept bringing back news and ideas to our County to make the Fire Service in Tioga County much better, stronger and, of course, more respected. Whenever a situation came up or a decision had to be made by John, his yardstick always was how will the answer affect and make the Fire Service in Tioga County better and stronger. He, of course, is missed and I hope we continue using his leadership style to build a stronger and better fire service. Thank you Karen and Denise for sharing him with us and boss please keep an eye on us."

Karen Scott spoke. "Thank you very much and I appreciate it very much. It really meant a lot to him."

Chair Sauerbrey asked for a unanimous motion for the following recognition resolution, seconded unanimously and carried.

Legislator Standinger read and presented the following recognition resolution to Sandra Nugent of the Department of Social Services

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 214-16 *RECOGNIZE SANDRA R. NUGENT
31 YEARS OF DEDICATED SERVICE
DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: Sandra R. Nugent began her career with the Tioga County Department of Social Services as a Part-time Account Clerk Typist in the Accounting Unit in September 1985 and began full-time in the Support Collection Unit in November, 1985. Sandra was promoted to Senior Account Clerk Typist in September 1987 and to her current title of Support Investigator in July 2001; and

WHEREAS: Sandra R. Nugent has been a dedicated and loyal employee in the performance of her duties; and

WHEREAS: Sandra R. Nugent has shown the highest levels of reliability, trust, loyalty and competence in the performance of her duties; and

WHEREAS: Sandra R. Nugent will retire on November 30, 2016; now therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Sandra R. Nugent for her thirty-one years of dedicated and loyal service to the Tioga County Department of Social Services and its most vulnerable citizens; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this loyal, dedicated and outstanding employee, Sandra R. Nugent.

ROLL CALL VOTE

Unanimously Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standinger spoke. “31 years is a long time and you certainly deserve this award that you are getting.”

Shawn Yetter, Commissioner of Social Services spoke. “Sandy is actually done working. Even though she is retiring on November 30, last week was her last week and we spent a very good exit interview together. Most of the things that we talked about are between her and me. There were a few tears shed there, but today we are here to celebrate what has been a wonderful career and dedication to the County.

“Sandy has spent pretty much her entire 31 years with the Department in the Child Support Unit, moving her way up from Account Clerk Typist to a Senior Account Clerk Typist, to Support Investigator in 2001, the title she has held for the past 15 years. Over all those years Sandy has proven herself to be dedicated, hardworking, and very productive. She has worked with literally thousands of parents to help them navigate their way through the world of child support and during all that time I truly never received a client complaint regarding Sandy and, in fact, her personnel file has several letters from child support recipients thanking her for her efforts and diligence.

“Sandy has always been held in high regard by not only the people we serve, but by her peers, supervisors, and other agency personnel for her dedication and diligence. While I do not have to interact much with Sandy and her daily work, in reviewing the outcomes for the Child Support Unit each month, Sandy is consistently at the top of her game. I have mentioned in the past that her employee recognition milestone events that besides being a dedicated, hardworking and very productive employee, Sandy is pretty well known for her vocal aptitude. You always know when she is in the room, but Sandy please know that that is a trait we have all grown to love about you. Along with that strong presence and personality Sandy also quietly goes about her business, getting things done behind the scenes. She has always been right there to help with agency and HHS building events both in the planning process and the work to make them happen.

"Sandy clearly cares about her coworkers and trying to make coming to work every day enjoyable in the midst of the issues that we work with and encounter each day. Sandy on behalf of the many parents and children that you have helped over the years in Tioga County thank you for your steadfast devotion to what you do, for always coming to work to work and for being a great person to have as a part of our team."

Sandra Nugent spoke. "I would like to thank Commissioner Yetter and all my supervisors and coworkers for the pleasure of working with them over the years. Through good times and bad, both private and professional you have been giving me support and guidance. I hope these 31 years have been as pleasurable for all of you as it has been for me. Again, thank you."

William Ostrander of the Employee Recognition Committee presented the Employee of the 3rd Quarter 2016 to Amy Potter, Payroll Supervisor in the Treasurer's Office. "If you do not know what I do for the County, I make maps and when I first came to the County and found out there was a County Treasurer I was pretty excited because that meant there was a county treasure and I would be able to make a County treasure map. I was in the Treasurer's Department one day and I asked well where is the treasure, and they said well there is not a treasure per se. That was pretty disappointing.

"About a month ago several of the staff in that Department were poking around and they discovered a treasure and they let the Employee Recognition Committee know because the Committee every three months goes on a treasure hunt. This was such a significant treasure that actually six members of the staff sent details to the Committee and the treasurer was Amy Potter, our Employee of the 3rd Quarter.

"I think I still have to make that map. One of the things that caught the Committee's eye was that since Amy has been in the Treasurer's Department she has been promoted three times and what happens in that Department when you are promoted is they keep moving you farther and farther back into the suite. When we went to tell her you have won the employee of the quarter and you need to be at the meeting today, we found we had to go very very deep into that suite to find her and I think if I needed to find her again I would need a map to do that.

"Here is some reasons why Amy is such a treasurer according to her fellow workers. Amy began working for the Tioga County Department of Social Services in January 2007 as a Database Clerk. She became an Account Clerk Typist in July 2007 and was promoted to Senior Account Clerk Typist in December 2007 where she remained until February 2015 when she made the

move to 56 Main Street and became the Senior Payroll Clerk in the Treasurer's Office. In June of 2016 Amy became the Tax Roll Supervisor and then in September moved to Payroll Supervisor, which makes her one of the most popular employees in the County, at least with the other employees. Amy won DSS Employee of the Month in 2012.

"In the words of some fellow employees, Amy is kind, hardworking, diligent, and an excellent communicator. Amy is willing to tackle anything that is thrown at her. She has proven to be a great team player and is a huge asset to the Treasurer's Office and to Tioga County. Amy and her husband Chris have been married for 25 years this month. They have three children, Tianna, Marissa, Bryant, and five cats. She likes to cook, attends Straits Corners Baptist Church, helps her husband in the Marine Corp League, and is involved in the Cancer Society Relay for Life. You are being recognized today."

Legislator Monell spoke. "After all those accolades it is very hard to come up here and say anything that Bill did not already say, but I will say that we found a gem because Amy has stepped up in ways that I cannot even imagine in the last three months. I am very proud of you. I think that you do a fantastic job up there. That smile that you have right now is infectious and I love it, so keep up the good work."

James McFadden, County Treasurer spoke. "We have certainly had a lot of challenges in this past year with a new financial accounting and payroll system, and I think I have lost about half of my staff during the past 14 months or something like that. As Tracy said, this employee has certainly stepped up to the challenge, a very difficult challenge to spit out payroll each and every two weeks. As a matter of fact in December we have three payrolls out of five Thursdays and perhaps a supplemental one. We have our work cut out for her. I think I am going to nominate her for employee of the next quarter. Tracy is absolutely correct that Amy is just a joy to come in and see every morning and some Saturday mornings I might add, and she has just been a very dedicated person. We pay people around 17 million dollars and every paycheck has to be perfected, everyone expects that. There are a lot of deductions. There is 50 years' worth of Union contracts and various tax withholdings, and she has to keep employees happy. She has to keep me happy. She has to keep the IRS happy. She just attacks everything with just that wonderful smile, so I hope I can see it for another year or two, or maybe 31. Thank you Amy. Thank you very much."

Amy Potter spoke. "Thank you and I could not do it without my coworkers and the support of my family. I have been putting in a lot of extra time to learn and be able to spit out the payrolls, which time is ticking. This is pay week. Thank you very much."

Legislator Standinger read and presented the following Proclamation on National Healthy Lung Month to Rebecca Kaufman, Deputy Public Health Director.

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: Lung disease is one of the most prevalent, deadly and costly chronic diseases; and

WHEREAS: Chronic lower respiratory disease is one of the top five leading causes of death in Tioga County; and

WHEREAS: 14% of the adults in Tioga County smoke cigarettes and smoking is one of the leading causes of lung disease; and

WHEREAS: Everyone should be aware of other common lung damaging agents, including: radon, fragrances, small particles and several chemicals; and

WHEREAS: Tioga County supports all measures designed to advance and protect the health of its citizens; therefore be it

RESOLVED: That the TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of November 2016 as

NATIONAL HEALTHY LUNG MONTH

and urges all residents to take steps to educate themselves, their families, and the community about the importance of lung health.

Legislator Standinger spoke. "Well I will say this, I used to smoke cigarettes. I quit in 1992. If I can quit anyone else can."

Rebecca Kaufman, Deputy Public Health Director spoke. "If anyone has not come to see our facility in our Public Health Clinic, we have now every month our proclamation hanging on the wall. It has added some decoration to the place. I just wanted to say on behalf of the Public Health Department thank you for declaring National Healthy Lung Month. We continue to pursue our goals and our community health improvement plan, one of which is to reduce chronic disease and the other reduce substance abuse in our County.

Obviously healthy lung month fits into both goals, so we are happy to have this proclamation. Thank you."

Chair Sauerbrey noted the following Proclamation on Adoption Awareness Month.

PROCLAMATION

This November marks the 26th annual National Adoption Month. November 22, 2016 is National Adoption Day. Our task is to find permanent homes for all our children. Tioga County has finalized 0 adoptions thus far and has four pending for the remainder of 2016. Every child in America and Tioga County deserves a permanent, loving forever family and home; and

WHEREAS: Tioga County adoptive families serve as a source of love, identity, self-esteem and support for children freed for adoption in Tioga County; and

WHEREAS: Tioga County adoptive families provide a safe and stable home and a nurturing environment where children freed for adoption have the opportunity to live full and productive lives; and

WHEREAS: Accepting responsibility for the care of these children has proven to be very rewarding for many adoptive parents; and

WHEREAS: Numerous public and private agencies work to increase the public's awareness of the needs of children freed for adoption, and the enduring and valuable contribution of adoptive families; and

WHEREAS: It is appropriate to recognize all those in Tioga County who work together on the behalf of children freed for adoption; the adoptive families and the professional staff dedicated to ensuring these children become members of a stable and loving family; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby Proclaim November as

ADOPTION AWARENESS MONTH

in Tioga County and call upon all citizens, community agencies, religious organizations, medical facilities and businesses to increase their participation in our efforts to recognize adoptive families in Tioga County.

There was no privilege of the floor

Legislator Monell made a motion to approve the minutes of October 11, 2016, seconded by Legislator Hollenbeck, and carried.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 215-16 TRANSFER OF FUNDS
SHERIFF OFFICE

WHEREAS: Funding for Jail Overtime within the Jail Budget will soon be depleted; and

WHEREAS: It will be necessary to continue to fund Correction Officer Overtime for the remainder of 2016; and

WHEREAS: Several accounts in the Sheriff's budget are projected to finish the year under spent; now therefore be it

RESOLVED: That the following funds be transferred to re-appropriate the Jail Overtime account as follows:

From: A3110.540070	Car Maintenance	\$ 3,000
A3110.540220	Automobile Fuel	\$ 15,000
A3110.540330	Legal Fees	\$ 3,000
A3110.540350	Office Equip Maint.	\$ 300
A3110.540510	Radio Repair	\$ 1,700
A3110.540620	Software	\$ 1,000
To: A3150.510030	Overtime	\$ 24,000

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 217-16 *AMEND 2016 BUDGET & APPROPRIATE FUNDS FROM SOLID WASTE FUND BALANCE TO HOUSEHOLD HAZARDOUS WASTE ACCOUNT*

WHEREAS: There is a significant increase in the amount of household hazardous waste being brought by Tioga County residents to Tioga County Solid Waste Hazardous Waste Program; and

WHEREAS: This increase has caused the budgeted amount to be exceeded for the 2016 Hazardous Waste Program; therefore be it

RESOLVED: That the Tioga County Legislature authorizes additional funds to be appropriated for 2016 Budget from the Solid Waste Fund Balance as follows:

From: B	359900 Appropriated Solid Waste Fund Balance	\$20,000
To:	B8160 542261 Household Hazardous Waste	\$20,000

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: FINANCE/LEGAL

RESOLUTION NO. 218-16 *AMEND BUDGET AND REQUEST CONTINGENCY FUNDS FOR INCREASE TO DISTRICT ATTORNEY FULL TIME SALARY*

WHEREAS: On April 1, 2016 the state approved the recommended salary increases for state judges; and

WHEREAS: Due to an omission of salary for 1 FTE from the 2016 Clerks Full time budget line there is a shortage of \$32,006 in salary and \$10,000 in associated fringe; and

WHEREAS: The Clerks budget has had a savings of \$10,000 in salary and fringe due to transition of employees that are compensated at a lesser amount than the former staff; and

WHEREAS: The DMV Part time budget has seen a savings of \$10,300 in payroll costs due to personal changes; and

WHEREAS: The total shortage not covered by cost savings in the Clerk Full Time salary and fringe budget is \$20,330 and will need to be covered through transfer from the County contingency fund; be it therefore

RESOLVED: That the following sums be transferred:

From:

A1411 510020 DMV Part time /Temporary	\$10,300.00
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To:

A1410 510010 Clerk Full Time	\$10,300.00
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From:

A1990 540715 Contingency Transfers	\$20,330.00
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To:

A1410 510010 Clerk Full Time	\$12,630.00
A1410 581088 Clerk State Retirement Fringe	\$ 7,000.00
A1410 583088 Clerk Social Security Fringe	\$ 400.00
A1410 584088 Clerk Workers Comp Fringe	\$ 300.00

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: PERSONNEL COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 220-16 TRANSFER FUNDS/FUND SELF-INSURANCE PLAN RESERVE

WHEREAS: Tioga County Local Law No. 2 of 2015 established a Contributed Reserve cap of \$6,000,000 for the Tioga County Self Insurance Plan; and

WHEREAS: Tioga County Local Law No. 2 of 2015 allows for the transfer of surplus funds from the fund balance to the reserve; and

WHEREAS: The 2015 Tioga County Self Insurance operating budget had surplus funds of \$340,683.64 in the fund balance; and

WHEREAS: The December 31, 2015 Tioga County Self Insurance Plan Fund Balance is \$1,307,009.06; and

WHEREAS: The December 31, 2015 Tioga County Self Insurance Contributed Reserve Fund is \$1,638,964.12; therefore be it

RESOLVED: That the Tioga County Treasurer is authorized to transfer funds as follows:

From: Self-Insurance Fund Balance S390900	\$340,683.64
To: Self-Insurance Contributed Reserve Fund S375300	\$340,683.64

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 221-16 *AUTHORIZE REIMBURSEMENT OF
FMAS PROJECT MANAGER AND
DEPUTY PROJECT MANAGER SALARIES*

WHEREAS: Tioga County established a Financial Management Accounting System (FMAS) Capital Reserve Account; and

WHEREAS: The Tioga County Legislature appointed a Project Manager and Deputy Project Manager for the FMAS project and established salaries for those positions for 2016 per Resolution No. 305-15; and

WHEREAS: Salaries to be funded for the Project Manager/Deputy Project Manager were transferred out of Interfund Transfers all Others to the Treasurer's Capital Account; and

WHEREAS: Said salaries should be reimbursed through the Financial Management Accounting System (FMAS) Capital Reserve Account H878.08; therefore be it

RESOLVED: That the 2016 salaries for the Project Manager (\$7,500.00) and Deputy Project Manager (\$4,500.00) be reimbursed through the FMAS Capital Reserve Account to the Treasurer's Capital Account as follows:

FROM: H387808 -FMAS Capital Reserve Account \$12,500

TO: H1325 540140-Treasurer's Capital Account \$12,500

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 222-16 *AWARD CONSTRUCTION TIOGA COUNTY COURT ANNEX FLOORING AND REQUEST CONTINGENCY FUNDS*

WHEREAS: Elmira Structures, Inc. was hired for repairs to the first floor of the Court Annex, located at 20 Court Street, refer to Resolution 151-16; and

WHEREAS: Due to this being an unforeseen issue the Department of Public Works did not budget for this repair; and

WHEREAS: An additional scope of work had to be added; and

WHEREAS: The Commissioner of Public Works received a Change Order Request for \$14,698.00; therefore be it

RESOLVED: That the Tioga County Legislature approve the Court Annex Floor Change Order; and be it further

RESOLVED: That the Tioga County Legislature authorizes a transfer as follows:

From: A1990 540715 Contingency Account	\$14,698
To: A9950 593715 Transfer to Capital	\$14,698
From: H1620 450310 Capital Transfer	\$14,698
To: H1620 520927 Court Annex	\$14,698

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 223-16 *AUTHORIZE ACCEPTANCE OF A 2016
NYS LEGISLATIVE GRANT (LG16-1363-
D00)*

WHEREAS: The Sheriff applied and was awarded a NYS Legislative Grant (LG16-1363-D00) in the amount of \$25,000; and

WHEREAS: This funding must be utilized to procure a new Evidence Van; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the acceptance of this award; and be it further

RESOLVED: That the 2016 budget be modified to reflect this state aid and that this funding be receipted into following revenue and appropriations accounts.

Sheriff Expense Account: H3110.521060

Sheriff Revenue Account: A3110.433952

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 224-16 *AUTHORIZE THE SUBMISSION OF
HOMELAND SECURITY GRANT
APPLICATION - BUREAU OF FIRE*

WHEREAS: The Office of Homeland Security has announced a 2016 Statewide Interoperable Communications Formula-Based Grant to the Tioga County Office Bureau of Fire. The grant will be used as continuation of 2012 Interoperability Grant, to purchase subscriber equipment and maintenance of tower sites; and

WHEREAS: County Policy # 47 requires that a resolution be approved before any such grant applications are submitted; therefore be it

RESOLVED: That the Tioga County Bureau of Fire/EMS Office be authorized to apply for this grant.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY/LEGAL

RESOLUTION NO. 225-16 *DECLARE TIOGA COUNTY
LEAD AGENCY AND
AUTHORIZE ISSUANCE OF
NEGATIVE DECLARATION*

WHEREAS: Tioga County is proposing to upgrade its emergency communications system with the addition of a new radio tower at a site north of Benton Road in the Town of Candor; and

WHEREAS: A Full Environmental Assessment Form (FEAF) Part 1 and NEPA Checklist have been prepared by Chazen Companies for the new tower site; and

WHEREAS: The Tioga County Legislature has thoroughly reviewed the FEAF Part 1 and NEPA Checklist and has taken a hard look at the possible environmental impacts of the proposed project; and

WHEREAS: The Tioga County Legislature has completed Part 2 of the FEAF to identify any relevant environmental areas that may be impacted by the proposed project; and

WHEREAS: No potentially moderate or large impacts were identified in the FEAF Part 2; therefore be it

RESOLVED: That the proposed project is a Type 1 action under SEQRA; and be it further

RESOLVED: That the Tioga County Legislature declares itself to be Lead Agency for the above project; and be it further

RESOLVED: That no potentially moderate or large impacts have been identified in the FEAF Part 2; and be it further

RESOLVED: That the project will result in no significant adverse impacts on the environment and therefore, an environmental impact statement need not be prepared; and be it further

RESOLVED: That a Negative Declaration be issued; and be it further

RESOLVED: That the Chair of the Legislature is authorized and directed to execute any documents necessary to give effect to these findings.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: ADMINISTRATIVE SERVICES

RESOLUTION NO: 226-16 MORTGAGE TAX DISTRIBUTION

RESOLVED: That the mortgage tax report for the period April 1, 2016 to September 30, 2016 be and it hereby is accepted; further

RESOLVED: That the County Treasurer be authorized and directed to pay to the Supervisors of the several Towns and the Treasurers of the several Villages the amounts apportioned to them as follows:

Barton (Town)	\$ 21,848.89
Berkshire (Town)	7,668.41
Candor (Town)	17,899.33
Candor (Village)	1,488.24
Newark Valley (Town)	31,058.60
Newark Valley (Village)	4,561.79
Nichols (Town)	9,078.29
Nichols (Village)	2,172.90
Owego (Town)	117,375.21
Owego (Village)	10,302.73
Richford (Town)	1,689.78
Spencer (Town)	24,024.80
Spencer (Village)	1,894.84
Tioga (Town)	18,146.41
Waverly (Village)	<u>17,372.77</u>
	\$286,582.99

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 227-16 ADOPT STATE EQUALIZATION REPORTS

RESOLVED: That the State Equalization Reports for County Tax be and the same hereby are approved, and that the County tax rates be the rates used in computing taxes in the several Towns.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 228-16 RESOLUTION TO SUPPORT
CORNELL COOPERATIVE EXTENSION
ASSOCIATIONS IN THE STATE OF
NEW YORK

WHEREAS: The mission of Cornell Cooperative Extension is “CCE puts knowledge to work in pursuit of economic vitality, ecological sustainability and social well-being. We bring local experience and research based solutions together, helping New York State families and communities thrive in our rapidly changing world”; and

WHEREAS: NYS County Law 224 adopted in 1914 established the ability for NYS and County's to contribute funds to support the creation of Cornell Cooperative Extension Associations in each county and there are now 56 associations across NYS; and

WHEREAS: The key objectives of the associations as stated in their constitutions are

- To provide for an association of residents in cooperation with Cornell University and USDA.
- To extend educational resources of Cornell (including Ag and Life Sciences, Human Ecology, Vet Med), land grant system, and other educational institutions to foster economic, social, and environmental improvement of individuals families, and communities.
- To further the objectives of CCE associations and the CCE system in the fields of agriculture, community and economic vitality, environment and energy, nutrition and healthy families, and youth development.

WHEREAS: Primary program areas and objectives of CCE are focused on improving economic and community vitality and are aligned with the primary mission areas of the National Institute of Food and Agriculture; and

WHEREAS: The primary programs and objectives of CCE are directly linked to a least of 8 of 16 goals of Governor Cuomo's initiatives for improving NYS, and CCE educators are key community partners in helping to implement these initiatives state-wide, including

- Maximizing agriculture and beverage production
- Strengthening the Upstate Economy
- Promoting a healthier NY
- Fighting Poverty
- Preserving our environment,
- Building Opportunity through education,
- Designing a clean energy economy
- Investing in tourism, and

WHEREAS: CCE associations are invaluable partners at the County level and NYS expects CCE educators to assist in supporting state initiatives; and

WHEREAS: Costs for operating CCE Associations (501C3 subordinate organizations) have increased significantly yet the annual funding allocated by the state for this system has remained stagnant since the 1970's; therefore be it

RESOLVED: That the Legislature of Tioga County, request that NYS allocate an additional \$10 million dollars per year to County 224 funding (that is just 50 cents per New York resident) to support Cooperative Extension Associations in NYS.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 229-16 *DESIGNATION OF TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION, D.B.A. TIOGA COUNTY TOURISM, AS AUTHORIZED TOURISM PROMOTION AGENCY FOR 2017*

WHEREAS: The Tioga County Local Development Corporation, d.b.a. the Tioga County Tourism Office, is the not-for-profit corporation that develops and implements a tourism promotion and marketing program for the county; and

WHEREAS: The Tioga County Tourism Office coordinates with the state in its tourism grants program; and

WHEREAS: The New York State tourism grants program is designed to encourage tourism promotion throughout the regions of New York State; and

WHEREAS: The guidelines for this local assistance program require counties to appoint an official Tourism Promotion Agency (TPA), therefore be it

RESOLVED: That the Tioga County Tourism Office be and hereby is designated by the Tioga County Legislature as their Tourism Promotion Agency for the 2017 budget year and authorized to make application for and receive grants on behalf of the county pursuant to the New York State Tourism Promotion Act.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 230-16 *AUTHORIZE SALE OF CHARLES T. ZIMMER III,
PROPERTY LOCATED IN THE VILLAGE OF WAVERLY,
TO TONY L. SANTALUCIA, JR & STACY L.
SANTALUCIA AND/OR ASSIGNS*

WHEREAS: Property located in the Village of Waverly assessed to Charles T. Zimmer III, identified as Tax Map number 166.16-3-55, parcel number 278, owes 2014, 2015 & 2016 taxes and is past the last date of redemption; and

WHEREAS: Keith Jastremsky was the closing bidder with \$3,950 deposit paid at the Foreclosure Auction held on August 4, 2016 and has defaulted by not appearing at closing with forfeiture of the \$3,950, and the second bidder passed on buying said property; and

WHEREAS: The Treasurer has held a Public Auction on October 19, 2016 and the winning bidder is Tony L. Santalucia, Jr & Stacy L. Santalucia hereby making an offer to purchase said property for \$10,500, "as is", thereby placing the property back on the tax rolls; be it therefore

RESOLVED: That the County rescinds its previous resolution to sell said property to Keith Jastremsky, the closing bidder with \$3,950, paid at the Foreclosure Auction held on August 4, 2016, by Default of Appearance at closing, with forfeiture of the \$3,950; and be it further

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$10,500 and recording costs, a Quit Claim Deed conveying the property assessed to Charles T. Zimmer III, located in the Village of Waverly identified on the Village of Waverly Tax Map as number 166.16-3-55, parcel number 278, to Tony L. Santalucia, Jr & Stacy L. Santalucia and/or assigns.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 231-16 *AUTHORIZE SALE OF FRANK SORRENTINO
PROPERTY LOCATED IN THE TOWN OF CANDOR,
TO JOSEPH A. BREITWIESER AND/OR ASSIGNS*

WHEREAS: Property located in the Town of Candor assessed to Frank Sorrentino, identified as Tax Map number 61.09-2-31, parcel number 268, owes 2014, 2015 & 2016 taxes and is past the last date of redemption; and

WHEREAS: 716 Fall Creek Road Inc. was the closing bidder with \$4,200 deposit paid at the Foreclosure Auction held on August 4, 2016 and has defaulted by not appearing at closing with forfeiture of the \$4,200, and the second bidder passed on buying said property; and

WHEREAS: The Treasurer has held a Public Auction on October 19, 2016 and the winning bidder is Joseph A. Breitwieser hereby making an offer to purchase said property for \$8,000, "as is", thereby placing the property back on the tax rolls; be it therefore

RESOLVED: That the County rescinds its previous resolution to sell said property to 716 Fall Creek Road Inc., the closing bidder with \$4,200, paid at the Foreclosure Auction held on August 4, 2016, by Default of Appearance at closing, with forfeiture of the \$4,200; and be it further

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$8,000 and recording costs, a Quit Claim Deed conveying the property assessed to Frank Sorrentino, located in the Town of Candor identified on the Town of Candor Tax Map as number 61.09-2-31, parcel number 268, to Joseph A. Breitwieser and/or assigns.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO:

INFORMATION TECHNOLOGY

RESOLUTION NO. 232-16

*AUTHORIZE CONTRACT AWARD FOR RFP
2016-2 – FIBER OPTIC CONSTRUCTION
CONSULTANT*

WHEREAS: The County has identified a need to construct a secondary fiber-optic network connection to significantly enhance the resiliency of the County's network during times of disaster; and

WHEREAS: The Tioga County Information Technology and Communication Services department put out an RFP requesting proposals for a Fiber Optic Construction Consultant; and

WHEREAS: From the proposals received, ECC Technologies was identified as the preferred vendor; and

WHEREAS: The work of this contract is to facilitate and manage to completion the construction of this secondary fiber-optic connection; and

WHEREAS: ITCS has worked with the Emergency Management Office, Sheriff's Office and Fire Bureau to ensure this work meets the above goal; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to sign the associated contracts for this service after review by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 233-16 AWARD BID FOR RADIO EQUIPMENT
SHELTERS

WHEREAS: Tioga County has been awarded a Statewide Interoperable Communications Grant by the State of New York for the improvement of radio communications facilities in Tioga County; and

WHEREAS: The Tioga County Bureau of Fire sought bids for three Radio Equipment Shelters for tower sites; and

WHEREAS: The Tioga County Bureau of Fire received sealed bids on October 25, 2016 and the bids came in as follows:

Sabre Industries, Inc.	Sioux City, IA	\$303,088.00
VFP, Inc.	Salem, VA	\$308,800.00

And

WHEREAS: The Tioga County Fire Coordinator, the Tioga County Attorney and Blue Wing Services Inc., St. Paul Minnesota, the Tioga County Bureau of Fire's engineers for the project, all completed a review of the bids and have recommended that the bid submitted by Sabre Industries, Inc. be rejected because it contained a defect that is material and substantial which gave Sabre Industries a substantial advantage or benefit not enjoyed by VFP, Inc., specifically:

The Sabre Industries, Inc. bid, at the time of bid opening, did not contain a completed mandatory "Point by Point Specification Response". Upon inquiry, Sabre acknowledged this failure, which it asserted was attributable to a PDF conversion error, and Sabre submitted the missing information, but after bid opening. Post bid opening submissions cannot be considered. The failure to provide the completed Point by Point Specification Response by the time of bid opening constitutes a non-waivable material and substantial defect in complying with the mandatory bid specifications. The failure placed Sabre at an advantage over VFP Inc. since Sabre could use the lack of specificity to deviate or not comply with bid specifications it did not acknowledge it would comply with. The purpose of requiring the Point by Point Specification Response was to ensure the vendor was aware and acknowledged them, thus Sabre's failure to provide a complete response runs counter to the specific reason it was required to be included in the bid.

And

WHEREAS: Blue Wing Services Inc. has determined that VFP, Inc. is the lowest responsible bidder in substantial and material compliance with the bid specifications; therefore be it

RESOLVED: That for the reasons set forth herein, the Sabre Industries Inc. bid is rejected as it contained a defect that is material and substantial, which gave Sabre industries a substantial advantage or benefit not enjoyed by VFP, Inc., and which therefore cannot be waived; and be it further

RESOLVED: That the Tioga County Legislature does hereby award the bid to VFP, Inc., the lowest responsible bidder in material and substantial compliance with the bid specifications, for \$308,800.00.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 234-16 *AUTHORIZE CONTRACT BETWEEN
TWIN TIER PATHOLOGY
ASSOCIATES, PC, AND TIOGA COUNTY*

WHEREAS: Beginning January 1, 2017 Twin Tier Pathology Associates, PC will provide services for autopsies, laboratory testing, x-rays, and use of morgue facilities for Tioga County; and

WHEREAS: The contract calls for \$875.00 to be paid to Pathologists and various other fees depending on tests, x-rays, etc. that are needed; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Tioga County Chair to sign a contract, upon approval of the County Attorney, with Twin Tier Pathology Associates, PC for services rendered to Tioga County at the costs listed above and for a term of 1/1/17 through 12/31/17.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck introduced Local Law Introductory No. A of 2016:

County of Tioga

Local Law No. of the Year 2016.

A Local Law amending Local Law No. 1 of the year 1956 to provide for Administration and Contract authority for the Tioga County Self-Insurance Plan.

Be It Enacted by the Legislature of the County of Tioga as follows:

SECTION 1:

Local Law No. 1 of 1956, Sections 3 and 4 are hereby amended to read as follows:

Section 3:

The Tioga County Self-Insurance Plan shall be administered by the Personnel Officer and Benefits Manager, and overseen by the Tioga County Legislature.

Section 4: Contract Authority

The Administrators, subject to approval of the County Legislature, may contract for such services as deemed necessary for the operation and administration of the plan.

SECTION 2. SEVERABILITY

If any clause, sentence, paragraph subdivision, section or part of this law or the application thereof to any person, individual corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 3. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 235-16 *SCHEDULE PUBLIC HEARING
LOCAL LAW INTRODUCTORY
NO. A OF 2016*

RESOLVED: That a public hearing shall be held on Local Law Introductory No. A of 2016, a Local Law amending Local Law No. 1 of 1956 to provide for Administration and Contract authority for the Tioga County Self-Insurance Plan, in the Legislative Conference Room of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York 13827 on Wednesday, December 7, 2016 at 1:00 PM. All persons desiring to present written or oral comments may do so at said time.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck introduced Local Law Introductory No. B of 2016:

County of Tioga

Local Law No. of the Year 2016.

A Local Law to amend the Rules and Regulations for the Administration of the Tioga County Self-Insurance Plan for Workers' Compensation, which will amend Local Law No. 2 of the Year 1956, as amended by Local Law No. 1 of the Year 1959, as amended by Local Law No. 1 of the Year 1963, as amended by Local Law No. 2 of the Year 1975, as amended by Local Law No. 1 of the Year 1976, as amended by Local Law No. 5 of the Year 1976, as amended by Local Law No. 5 of the Year 1977, as amended by Local Law No. 2 of the Year 1980, as amended by Local Law No. 6 of the Year 1984, as amended by Local Law No. 2 of the Year 1985, as amended by Local Law No. 3 of the Year 1990, as amended by Local Law No. 2 of the Year 2015.

Be It Enacted by the Tioga County Legislature of the County of Tioga, as follows:

SECTION 1:

This Section amends the Rules and Regulations for the Tioga County Self-Insurance Plan for Workers' Compensation.

A. Participation

In addition to the County, participation in the plan shall be available to the Tioga County Soil and Water Conservation District, all of the towns and villages located within the geographical boundaries of Tioga County, and active volunteer firefighters pursuant to provisions of New York State Workers' Compensation Law Section 63.

B. Entry and Withdrawal and Payment of Outstanding Liabilities

New Participants as defined in Paragraph A hereof and other than those in the Plan at the time of its adoption, shall be admitted as of January first, following the date of application for participation; provided, however, that a certified copy of a resolution of the governing body of the applicant shall be filed with the Administrators by the preceding July first.

A participant may withdraw from the plan effective at the end of a fiscal year by filing with the Administrators on or before the preceding July first a certified copy of a resolution of its governing body electing to withdraw from the plan.

As a condition of withdrawal from the Plan, the participant must enter into a withdrawal agreement with Tioga County and must agree to pay in a lump sum or the Administrators may, subject to the approval of the County Legislature, permit such payment to be made in installments, an equitable share of the outstanding liabilities of the Plan as of the date of withdrawal. If payment of the equitable share of the outstanding liabilities of the Plan is to be made in installments, an installment payment plan and other necessary terms and conditions shall be set forth in the withdrawal agreement. For purposes of this paragraph, the phrase "equitable share of outstanding liabilities of the Plan" shall mean all of those current and open compensation cases originating from the participant and included in the Plan on or before the effective January 1st of the participant's withdrawal from the Plan, and all those compensation cases originating from the participant which are closed as of the date of withdrawal but which in the judgement of the Administrators are likely to be re-opened after the January 1st withdrawal date. The Administrators shall hire an actuary to obtain an actuarial assessment in order to determine the withdrawing participant's equitable share of the outstanding liabilities.

C. Apportionment of Costs

Each participant shall be liable to pay their proportionate share of the cost of participation in the Plan, including all administrative costs and expenses, using the following formula:

Thirty-five percent (35%) shall be apportioned to each participant in the proportion that the full valuation of its taxable real property bears to the aggregate full valuation of all participants. The county's proportionate share shall include the total full valuation of all towns within Tioga County including those who may not be participating in the self-insurance plan.

Thirty-five percent (35%) shall be based on the proportion each participant's gross annual payroll bears to the total payroll of all participants, using the total payroll from the last full calendar year immediately preceding issuance of the bills (example, use 2015 payroll for 2017 bills).

Thirty percent (30%) shall be based on the proportion that each participant's claims utilization bears in relation to the aggregate losses of the Plan. Claims utilization includes any payments made related to the claim(s) for a participant's employee(s). A five consecutive year claim utilization average will be used for each participant, to be phased in by using a four consecutive year claim utilization average for 2017 bills. Starting in 2018 and thereafter five consecutive year claim utilization will be used.

D. Payment by Participants

Each participant will receive their annual bill for the fiscal year at the start of the fiscal year. Each participant shall pay the County Treasurer half of their annual bill by January 31 of the current year and the remaining half of the bill by July 31 of the current year.

E. Reserve

A reserve of \$6,000,000.00 is hereby established for the Plan. Such amount may be accumulated by the inclusion in each annual estimate a sum not exceeding 2% of the total annual estimate, or by the transfer to said reserve of surplus funds in the fund balance, or by the addition to said reserve of income earned from the investment of the funds in such reserve, or by such combination of said methods as the Administrators may deem proper.

When the amount of the reserve is at a maximum, any amount expended therefrom shall be restored by one or more of the aforesaid methods, as Administrators may deem proper.

F. Duties of Plan Participants

Participants in the plan hereby established shall be subject to the following standards, conditions, rules and regulations:

1. Participants shall cooperate fully with the Administrators in the administration of the plan, and shall prepare and file with the Administrators such reports and information as may be requested.
2. Each participant shall maintain a record of all injuries received by employees in the course of their employment. Reports of accidents shall be filed promptly to the Administrators of the plan.
3. Participants shall promptly furnish all pertinent information relative to any claim, and shall aid in the investigation of any claim.
4. The Administrators shall report to the Legislature failure of a participant to file required reports and the Legislature may take such action as it deems proper as provided herein.
5. Each participant shall develop and enforce a safety program or programs designed for the reasonable and adequate protection of the lives, health, and safety of employees.
6. The Administrator may submit to the County Legislature a list of positions of employment for which medical examinations shall be required together with medical standards for each position. Each participant shall require an employee appointed to a position on such list to have a medical examination prior to employment, except in an emergency; in which event, a medical examination shall be made as soon after the date of employment as is practical. The cost of such examination shall be an expense of the plan. Employment will be contingent upon successful passing of the medical examination.

G. Excess or catastrophe insurance

The Administrators, subject to approval of the County Legislature, may, on behalf of the plan, purchase excess or catastrophe insurance, the cost of such insurance being an administrative expense of the plan.

H. Expulsion

The Legislature may by resolution expel a participant for failure to observe the rules and regulations adopted, or for any violation of the provisions of the NYS Workers' Compensation Law. That participant shall be notified in writing, at least 60 days prior to the effective date of expulsion, and such expulsion shall not relieve a participant from paying its share of the outstanding liabilities of the plan at the date of expulsion.

SECTION 2. SEVERABILITY

If any clause, sentence, paragraph subdivision, section or part of this law or the application thereof to any person, individual corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 3. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 236-16 *SCHEDULE PUBLIC HEARING
LOCAL LAW INTRODUCTORY
NO. B OF 2016*

RESOLVED: That a public hearing shall be held on Local Law Introductory No. B of 2016, a Local Law amending Local Law No. 2 of the Year 1956, as amended by Local Law No. 1 of the Year 1959, as amended by Local Law No. 1 of the Year 1963, as amended by Local Law No. 2 of the Year 1975, as amended by Local Law No. 1 of the Year 1976, as amended by Local Law No. 5 of the Year 1976, as amended by Local Law No. 5 of the Year 1977, as amended by Local Law No. 2 of the Year 1980, as amended by Local Law No. 6 of the Year 1984, as amended by Local Law No. 2 of the Year 1985, as amended by Local Law No. 3 of the Year 1990, as amended by Local Law No. 2 of the Year 2015, to amend the Rules and Regulations for the Administration of the Tioga County Self-Insurance Plan for Workers' Compensation, in the Legislative Conference Room of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York 13827 on Wednesday, December 7, 2016 at 1:05 PM. All persons desiring to present written or oral comments may do so at said time.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell introduced Local Law Introductory No. C of 2016:

County of Tioga

Local Law No. of the Year 2016.

A Local Law amending Local Law No. 3 of 1978 which provides for filling a vacancy in the office of the Tioga County Legislature.

Be It Enacted by the Legislature of the County of Tioga as follows:

SECTION 1. In the event of a vacancy in the office of the Tioga County Legislature at any time other than the expiration of a term of office, such vacancy may be filled by appointment made by a majority of the remaining members of the Tioga County Legislature.

SECTION 2. Such person appointed by the Tioga County Legislature pursuant to this local law shall enter upon and faithfully discharge the duties of the office until such time as the office is filled as a result of a general election as provided by law.

SECTION 3. EFFECTIVE DATE:

This local law shall become effective immediately upon filing with the Office of the Secretary of State.

SECTION 4. SEVERABILITY:

If any clause, sentence, paragraph subdivision, section or part of this law or the application thereof to any person, individual corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Huttleston.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 238-16 APPOINTMENT OF REPUBLICAN
ELECTION COMMISSIONER

WHEREAS: The Chairman of the Republican Party has submitted their recommendation to the Clerk of the Legislature; therefore be it

RESOLVED: That Bernadette M. Toombs be and hereby is appointed Election Commissioner for the Republican Party from January 1, 2017 through December 31, 2018.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 239-16 AUTHORIZE 2017 CONTRACTS WITH SADD
SCHOOL ASSOCIATES

WHEREAS: It is the desire of the STOP DWI Program to arrange five contracts with SADD School Associates which are defined as Independent contractors not entitled to County Employee benefits; and

WHEREAS: It is the desire to award the five SADD School Associate contracts for the calendar year 2017 to the following individuals; Aria French to serve the Candor School District; Matthew Cicchetti to serve the Newark Valley School District; Joan Beck to serve the Owego Apalachin School District; Britney Elsey to

serve the Spencer Van Etten School District, and Janice Barto to serve the Tioga Central School District; and

WHEREAS: Each SADD School Associate will be compensated \$100 each month for the ten months of the school year, but will not exceed \$1,000 for the year; and

WHEREAS: The Tioga County Attorney has approved the agreement that defines the rights and responsibilities of all the parties involved and outlines the compensation to be paid to the STOP DWI School Associates; therefore be it

RESOLVED: That these contracts for SADD School Associates be authorized for the 2017 calendar year.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO:

PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 240-16

*AUTHORIZE BACKFILL PART TIME
ASSISTANT FIRE COORDINATOR
BUREAU OF FIRE*

WHEREAS: The Tioga County Bureau of Fire has a need to backfill the part-time Assistant Fire Coordinator position due to the reassignment of the incumbent; and

WHEREAS: The Fire Coordinator has identified a qualified candidate who has been found to meet the minimum qualifications of the part-time Assistant Fire Coordinator title; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the backfill of the part-time Assistant Fire Coordinator with David Churchman effective November 28, 2016, an annual non-union salary of \$2,600.00.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Standing.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 241-16 *AUTHORIZE DESIGNATION OF
FIRST ASSISTANT
BUREAU OF FIRE*

WHEREAS: The Tioga County Bureau of Fire has a need to designate one of the Assistant Fire Coordinator's as a First Assistant due to recent staff changes; and

WHEREAS: The County Fire Coordinator has determined whom within the Assistant Fire Coordinator staff he would like to assign this designation to; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the County Fire Coordinator to designate Steve Fedorowicz, as First Assistant, effective November 28, 2016; and be it further

RESOLVED: That said designation will result in an increase of \$2,000.00 to Mr. Fedorowicz's current salary and his total annual, non-union salary shall be \$6,163.00, effective November, 28, 2016.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:39 P.M.

Public Hearing
2017 Budget
November 16, 2016

The Public Hearing on the 2017 Budget was called to order by the Chair at 6:00 P.M. Seven Legislative members were present, Legislators Monell and Mullen being absent.

There were four people in attendance along with Budget Officer Rita Hollenbeck.

The Clerk read the legal notice as published in the official newspapers.

Rita Hollenbeck, Budget Officer gave the 2017 budget presentation.

"Honorable Members of Tioga County Legislature and the Citizens of Tioga County.

"I present to you the proposed Tentative County budget for 2017.

"The tax cap continues to be a major constraint. The NYS Tax Cap Calculation for 2017 allowed a mere 0.16% increase. This equated to approximately \$36,288.00 potential tax levy increase for the county. Expenditure increase for salaries alone were 10 times this allowed tax levy increase.

"Departments again were asked and did their very best to keep their costs neutral. Most increases were due to contractual obligations for both employee salaries and the Count's contracted services.

"The overall gap between the proposed county expenditures and revenues has decreased in 2017, though there still remains a deficit. I propose using a total of \$1,077,033 to bridge this gap. This is a decrease of \$680,511 or 38% from 2016.

"I will continue to preach that reliance on the fund balance, additional borrowing for infrastructure needs, or cutting nonmandated services is not feasible or sustainable. More than 86% of the County services and associated costs are state mandated. Non mandated services that are left have been trimmed all they can. Previous financial forecasting of historical trends predicted insufficient fund balances to continue operations while staying within the state imposed tax cap in four short years. Several circumstances have changed and I will be updating the four year financial plan out to the year 2020.

"There is good news here. First I applaud the Legislature's vision and understanding as they supported economic development, shared services and aggressively applied for and secured additional state grants. This alone accounts for over \$700,000 in additional revenue for the 2017 proposed budget.

"Department Heads and the Legislature have a common goal of holding the line on spending while maintaining services to our taxpayers. The 2017 proposed budget has a 1.07% decrease to the General Fund expenses. This is the 2nd consecutive year we have had a 1% decrease in the General Fund appropriations.

"We actually ended 2015 with a surplus to the General Operating Fund Balance. As we approach year end 2016 I am projecting less of a deficit or draw on fund balance than anticipated.

"The 2017 budget and beyond will recognize increased sales tax, occupancy tax, and gaming funds. The additional sources of revenue are compliments of Tioga Downs, Crown Cork & Bottle, and Nichols Cross Dock. At this time it is difficult to predict the overall fiscal impact to the county, but these local efforts have narrowed the budget gap while creating jobs in Tioga County. I believe the additional revenue will have a maturity date though, and should not be relied on to heavily. While the stream lasts, I strongly recommend the additional revenue be set aside to rebuild depleted capital reserves and maintain strong funds balances.

"In 2017 the County continues to share sales tax with the towns and villages. I'll remind everyone that some counties have needed to reduce this distribution or eliminate it altogether to help balance their budgets. We estimate distributing over \$4,600,000.00 in the proposed 2017 budget.

"We continue the same level of funding to outside agencies at a net cost of \$689,363. We value the services they provide and there would be a negative trickledown fiscal impact to all budgets across the county if the services were cut, not to mention the impact to our citizens.

"2017 marks the sixth consecutive budget year Tioga County has stayed under the State imposed property tax cap. The six year average increase in the tax levy dropped to 1.58% each year.

"Now for the best news. There will be no tax levy increase for the 2017 proposed budget. The 2017 county tax levy will remain level with 2016. 0% is better than 2% when it comes to taxpayers in our county. I would challenge all other taxing entities across this county to renew their efforts for shared services, cost containment and efficiencies.

“The county tax levy for 2017 is \$22,161,628 and Solid Waste’s is \$1,023,742. The total combined County Tax Levy is \$23,185,370.00

“Under the proposed budget we are under the tax cap and will have minimal rollover funds moving into the 2018 budget year.

“The Composite Tax Rate is \$8.99 per \$1,000.00 of taxable value. The average assessed \$100,000 home will pay \$899.00 in county taxes. Tax rates will vary from town to town due to the state established equalization rates and the town’s apportionment percent.

“The county continues to qualify in 2017 for Property Tax rebates. Prior year rebates have ranged from \$20 to \$100. Tioga County’s approved plan for past year efficiencies has certainly proven to contain county government spending. The Tax Rebate initiative allows a year to year increase of the residents’ tax bills to be refunded if applicable criteria are met and the government entity is eligible. Since inception Tioga County has been eligible.

“I would like to thank the County Legislature, department heads and all county employees for their participation in the annual budget process. Special recognition and thanks to the Treasurer’s staff, Personnel and Real Property for their added participation in the budget process.

“The proposed tax levy cannot be increased after tonight’s hearing without an additional public hearing.”

The Budget Officer gave a PowerPoint presentation on the 2017 budget highlights.

“If you have comments to present to the Legislature regarding the proposed budget, the floor is now open. “

There being no comments, the Budget Hearing was adjourned at 6:24 P.M.

Public Hearing
Local Law Introductory No. A of 2016
December 7, 2016

The Public Hearing on Local Introductory No. A of 2016 A Local Law amending Local Law No. 1 of the year 1956 to provide for Administration and Contract authority for the Tioga County Self-Insurance was called to order by the Chair at 1:00 P.M. Eight Legislative members were present, Legislator Monell being absent.

There were three people in attendance.

The Clerk read the legal notice as published in the official newspapers.

There being no comments, the hearing was adjourned at 1:01 P.M.

Public Hearing
Local Law Introductory No. B of 2016
December 7, 2016

The Public Hearing on Local Introductory No. B of 2016 A Local Law to amend the Rules and Regulations for the Administration of the Tioga County Self-Insurance Plan for Workers' Compensation, which will amend Local Law No. 2 of the Year 1956, as amended by Local Law No. 1 of the Year 1959, as amended by Local Law No. 1 of the Year 1963, as amended by Local Law No. 2 of the Year 1975, as amended by Local Law No. 1 of the Year 1976, as amended by Local Law No. 5 of the Year 1976, as amended by Local Law No. 5 of the Year 1977, as amended by Local Law No. 2 of the Year 1980, as amended by Local Law No. 6 of the Year 1984, as amended by Local Law No. 2 of the Year 1985, as amended by Local Law No. 3 of the Year 1990, as amended by Local Law No. 2 of the Year 2015 was called to order by the Chair at 1:05 P.M. Eight Legislative members were present, Legislator Monell being absent.

There were four people in attendance.

The Clerk read the legal notice as published in the official newspapers.

Amy Poff, Benefits Manager, spoke. "I just want to clarify about the payment of outstanding liability if anybody withdraws an apportionment of costs and clarify duties of the plan participants. The Local Law is really just to clean up the language."

There being no comments, the hearing was adjourned at 1:06 P.M.

Public Hearing
Local Law Introductory No. C of 2016
December 7, 2016

The Public Hearing on Local Introductory No. C of 2016 A Local Law to amend Local Law No. 3 of 1978 which provides for filling a vacancy in the office of the Tioga County Legislature was called to order by the Chair at 1:10 P.M. Eight Legislative members were present, Legislator Monell being absent.

There were four people in attendance.

The Clerk read the legal notice as published in the official newspapers.

There being no comments, the hearing was adjourned at 1:11 P.M.

Twelfth Regular Meeting
December 13, 2016

The Twelfth Regular Meeting of 2016 was held on December 13, 2016 and was called to order by the Chair at 6:00 P.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Weston to have a moment of prayer. "Let us pray. Dear Lord, please help the people in power to alleviate the pain and suffering of all the innocent children throughout the world."

Legislator Weston led all Legislators and those in attendance in the Pledge of Allegiance.

There were 29 people in attendance.

Chair Sauerbrey asked for a unanimous motion for the following two recognition resolutions, seconded unanimously and carried.

Legislator Standinger read and presented the following recognition resolution to Judy Westmiller, Secretary to the Commissioner of Social Services.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 242-16 *RECOGNIZE JUDY WESTMILLER'S
20 YEARS OF DEDICATED SERVICE
DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: Judy Westmiller began her career with the Tioga County Department of Social Services as a Typist on December 18, 1996; and was promoted to Account Clerk Typist on May 4, 1998; and was promoted to Administrative Secretary on August 2, 1999; and was promoted to Executive Secretary on July 22, 2002; and was promoted to Secretary to the Commissioner of Social Services on December 3, 2013; and

WHEREAS: Judy Westmiller has been a dedicated and loyal employee in the performance of her duties for and responsibilities toward the department and the Commissioner of the Tioga County Department of Social Services, having earned the respect of the administrative team, her co-workers at DSS and

colleagues in other county departments and agencies with whom she professionally interacted with; and

WHEREAS: Judy Westmiller will retire on December 31, 2016; now therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Judy Westmiller for her twenty years of dedicated and loyal service to the Tioga County Department of Social Services and its Commissioner; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this loyal, dedicated and outstanding employee, Judy Westmiller.

ROLL CALL VOTE

Unanimously Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standinger spoke. “I just want to say that I have observed this young lady many times at meetings and she is a professional and I just want to know what Shawn is doing to have all his people retire. It is a trend that has been going on for a while and I am getting tired of reading these things even though I guess I have to do it. Congratulations.”

Shawn Yetter, Commissioner of Social Services, spoke. “Judy has been gone already two weeks even though she is technically retiring December 31st, so we have had a slight period of adjustment. Judy, as the resolution said, Judy began with us in December of 1996 and was promoted several times until being promoted to Confidential Secretary to the Commissioner on December 3, 2013, which was three short years ago. They flew by and at that time due to all the staffing changes and reductions that we were making, not only did she take on the role of working with me, she continued her role as Secretary to the Director of Services and Deputy Commissioner and was really doing double duty and absorbed that with grace and with a lot of competence. She did serve for Gail for most of her time with us.

"The good news for me, she was already accustomed to Gail's lilting voice from across the hall, both in the old stone building and in our new building that familiar call of Judy, so it has been very quiet in our hallway now. There are many wonderful traits about Judy, but first and foremost is that when she was called on whether by Gail for all those years or for me for the past three years and now with Liz, she was and has always been right there with what we needed. She never grumbled even if it was the tenth time we were asking her to help fix something on a document or try to figure out why a printer was misbehaving, that was usually Gail. She was always right there as a second set of eyes, a second pair of hands, and as an employee Judy is the ultimate team player with a heart of gold that goes along with that.

"Over the years and very impressive about Judy is she has given countless hours to coordinating activities within the Department that go to help others, whether it was her work with the Relay for Life, the Family Reading Partnership and its Bright Red Bookshelf Project, the Wellness Committee, coordinating collections for outside agencies, collecting for our infamous dress down days and making sure that money was distributed to the various causes that we support each month, and helping to coordinate all the events that go on in the HHS Building as well as DSS events. Judy did all of that very quietly, but with a spirit of generosity and love that we should all try to emulate. As a person who always came to work to work hard and to make a difference, Judy has more than earned her retirement. On behalf of the entire Department we wish you a happy and healthy retirement."

Judy Westmiller spoke. "I am not one for speeches and I think Shawn did a very good job not putting me in tears yet. I just want to say thank you. God has truly blessed me with wonderful and supportive supervisors and coworkers, and I most of all want to thank my family, they have been supportive forever and I can say that I have only had really two jobs in my career. I was at Jamesway for 16 and a half years and when they closed, I was there until they closed, I think I did work at Trabucco for like nine months and then I came to the County and spent the rest of my career here, and I have thoroughly enjoyed my job here. I can say that for my work ethic I think that I have tried to live and work by the instruction in 1st Corinthians that says "whatever you do, do to the glory of God" and that has helped me. I have not been perfect with it all the time, but it has helped me go in the right direction I believe. I love my work.

"I felt truly a part of the team at DSS and I will miss that teamwork spirit there a great deal, and more than that I will miss the people that I have come to know there. You get to know them like family. It was my privilege to work as Shawn said for Gail for the majority of my time here and then with Shawn only three years, but both Gail and Shawn have been awesome to work for. There is not a reason why people are just getting old and able to leave, it is not Shawn. I

am very thankful for the relationships that I have made here that will continue in my retirement years and again I just want to say thank you to everyone. I am sure I am going to enjoy my retirement, we have got some plans for traveling and today I spent the day with my granddaughter making cookies all day. It was awesome. I am going to enjoy retirement. Thank you very much."

Legislator Mullen read and presented the following recognition resolution to Michele Bogart of the Tioga County Sheriff's Office.

Legislator Mullen spoke. "Good evening. I do not get to do as many of these as Bill does, I have only done a couple and it has always been my pleasure to get up here, that I have always got to read these resolutions of a friend and I can truly honestly say to everyone gathered here, Shelley Bogart is one of my dear dear friends. She is also an outstanding police officer."

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRING TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 243-16

*RESOLUTION RECOGNIZING
MICHELE BOGART'S
27 YEARS OF DEDICATED SERVICE TO
TIOGA COUNTY*

WHEREAS: Michele Bogart was appointed as a Corrections Officer on 8/12/89; appointed to Corrections Sergeant on 12/31/92; appointed as Deputy Sheriff on 5/6/00; and was promoted to Road Patrol Sergeant on 4/21/12; and

WHEREAS: Michele Bogart has been dedicated and loyal in the performance of her duties and responsibilities during the past 27 years to Tioga County, thereby earning the respect of her colleagues and peers throughout Tioga County; and

WHEREAS: Michele Bogart will retire from the Tioga County Sheriff's Office on November 30, 2016; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Michele Bogart for her 27 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Michele Bogart.

ROLL CALL VOTE

Unanimously Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Mullen spoke. "I want to go back to the date of April 21, 2012. It was my last year on the job. It was Shelley's first night as a Sergeant and it was raining that night, and it was cold. It was one of those late/early spring winter is not quite over, days and evenings we get here in Tioga County where you might be 70 in the afternoon and wake up with four inches of snow on the ground. It was that kind of night. It was a dark night, a scary night, the kind of night that makes a Bishop want to kick out a stained glass window. I was working the Barton post and you guys call it 2 in Apalachin and 3 in Nichols, and Shelley is a professional and one of the reasons the State Police in Owego and the Tioga County Sheriff's Department are one of the rare incidents where there is not a lot of consternation between the troopers and the State Police is because of the quality of the people on both sides of the river.

"I was backing Shelley up on a very serious personal injury automobile accident on Shepherd Road in the Town of Barton. It was about 9:00 o'clock or so at night, dark, rainy, nasty. We get down there and we cannot find an accident, where is it? We cannot find the wreck and ambulances are coming, the fire department is there, no one can find this car, and then we hear from a house that set back off the road the homeowner, "hey, they are up here", a good 400 or 500 feet off the road. Okay, so we drive up there up to the house expecting to find the car crashed up in the yard near the house. There is no car. There is just the homeowner out there in the rain with a flashlight. We said well where is it? It's over there. We look over. He had clipped a tree in the front yard probably 20 feet or better above the road surface, the front yard. The car ripped into three parts. Literally the engine and the front end of it was hanging in the tree next to the tree that he cut in half. The rear end was down in the ditch along Shepherd Road. The front end was over the top of a boat.

"Still no operator. Where is he and Shelley and I were looking around and it was her first night as a Sergeant and she was, "Dennis you got to help me with this". She says, "what do I do, is it a fatal, is it a missing person?" I said I do not know, I am just glad 911 gave it to you. The homeowner comes out and goes, "hey who moved my boat". Ought oh, he was ejected from the car, hit the boat, a big 24 footer, drove it off the boat trailer, bent the tongue of the boat,

he flipped up and went inside the boat through the tarp of the boat and he was down in there. People think I tell stories about being from the road and that I am always lying. Is this true, that is where we found him. What do you expect, it is going to be a sad story right, he is dead, he has got to be. Nope, a bump on the head. He was drunk as three men could ever get drunk, bump on his head. We think he is dead. Ambulance is there, ALS, they are putting stuff on him, they are starting to load and getting him out of there and we are helping. We are all covered soaking wet, firemen, everybody is out there working. We get him out on the gurney. We get him out of the boat. He pops awake, "what the hell is going on, let me out of here". He starts fighting with us. We end up taking him down to the Packer that night.

"That just goes to show a quick story and Shelley's dedication. She is a true friend, an outstanding police officer, a good supervisor, and if anybody is friends with her on Facebook, they know the world is black and white with Shelley. There is good and there is bad, and I can tell you today is a day that the people of Tioga County should have a little sadness in their heart because they are not as protected as well today as they were on November 30, 2016. Shelley thank you for your service."

Sheriff Howard spoke. "It goes a lot to say looking at her career, Sergeant Bogart started in the jail as a Corrections Officer and like three years later was promoted to Sergeant. It does not stop there. She wants to get on the road. She goes to the road and it was my honor and we got together and had a Sergeant's opening, and promoted Sergeant Bogart. There was really no question and have you ever worked days, you never got to work days did you? I do not ever remember seeing her on the day shift. It has always been a night shift and a swing shift, which is a tough shift to do because once a week she is doing a double. It was my honor to have her as a Sergeant and it goes to show the respect that she has by all the men that showed up this evening to wish her well and we wish her well at the Sheriff's Office and we were very proud to have her."

Michele Bogart spoke. "I am not very good at this. Thank you guys for coming, I appreciate it and I appreciate all the kind words. When I started in 1989 my mother did not speak to me for two weeks because I was just out of college, I had a business administration degree, always had wanted to be a cop, was in the Explorer Program with the Village Police Department when I was 14 and my mother was always adamantly against it and said you know, no you are going to be a secretary or you are going to do something calm. She did not live to see me go from the jail to the road, but she did not talk to me for two weeks when I started, but I think it is safe to say that if she could see now, I think she would be happy with what I chose to do and I hope I made some differences in people's lives. I know a lot of people have made a big difference

in mine. I worked with and for an amazing group of men and women and I thank you very much for the opportunity. I will miss the people, but mostly not the job."

There was no privilege of the floor.

Legislator Roberts made a motion to approve the minutes of November 15, 2016, seconded by Legislator Sullivan, and carried.

Chair Sauerbrey stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 244-16 APPOINT MEMBER
BOARD OF ETHICS

WHEREAS: Alberta Weisz, minority appointment, on the Board of Ethics term passed away on 6/23/2015; and

WHEREAS: Carl Kanoff has agreed to serve on the Board of Ethics; now therefore be it

RESOLVED: That Carl Kanoff, minority appointment, be hereby appointed to the Board of Ethics to complete the new term of office that started April 1, 2016 to March 31, 2019.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 245-16 REAPPOINT MEMBER TO THE TIOGA COUNTY BOARD OF HEALTH

WHEREAS: Section 344 of the Public Health Law requires that members of the Board of Health shall serve six (6) year staggered terms; and

WHEREAS: The appointed term for Thomas F. Nytch, DVM, on the Board of Health expires 12/31/16; and

WHEREAS: Dr. Nytch has agreed to serve for another term; therefore be it

RESOLVED: That Thomas F. Nytch, DVM, be re-appointed to the Board of Health for a term of 1/1/17-12/31/22.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 246-16 RE-APPOINT MEMBER TO THE TIOGA COUNTY PLANNING BOARD

WHEREAS: William Dimmick, III's position on the Tioga County Planning Board representing the Village of Waverly expires on 12/31/2016; and

WHEREAS: The Village of Waverly Board of Trustees has nominated William Dimmick, III to serve another three-year term as their representative, and he is willing and able to do so; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoints William Dimmick, III to the Tioga County Planning Board for another three-year term of 1/1/2017 – 12/31/19.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 247-16

*RE-APPOINT MEMBER TO THE TIOGA
COUNTY PLANNING BOARD*

WHEREAS: Tim Pollard's position on the Tioga County Planning Board representing the Town of Berkshire expires on 12/31/2016; and

WHEREAS: The Berkshire Town Board has nominated Tim Pollard to serve another three-year term as their representative, and he is willing and able to do so; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoints Tim Pollard to the Tioga County Planning Board for another three-year term of 1/1/2017 – 12/31/19.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 248-16 RE-APPOINT MEMBER TO THE TIOGA COUNTY PLANNING BOARD

WHEREAS: Jim Tornatore's alternate at-large position on the Tioga County Planning Board expires on 12/31/2016; and

WHEREAS: The Tioga County Planning Board is desirous of having Jim Tornatore serve another three-year term, and he is willing and able to do so; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoints Jim Tornatore to the Tioga County Planning Board for another three-year term of 1/1/2017 – 12/31/19.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 249-16 APPOINT MEMBER TO THE TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION (TCLDC)

WHEREAS: Abbey Hendrickson has resigned from the Tioga County Local Development Corporation as of October 13, 2016; and

WHEREAS: The Tioga County Local Development Corporation Board of Directors has found Sonny DeWitt willing and able to fill said vacancy; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Sonny DeWitt to fill said vacancy and serve the remainder of Abbey Hendrickson's unexpired term effective December 14, 2016 – March 31, 2018.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 250-16

*APPOINT MEMBER TO THE TIOGA COUNTY
LOCAL DEVELOPMENT CORPORATON
(TCLDC)*

WHEREAS: Jessica Schillmoeller has resigned from the Tioga County Local Development Corporation as of November 30, 2016; and

WHEREAS: The Tioga County Local Development Corporation Board of Directors has found Christopher Curry willing and able to fill said vacancy; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Christopher Curry to fill said vacancy and serve the remainder of Jessica Schillmoeller's unexpired term effective December 14, 2016 – March 31, 2017.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 251-16 *ACCEPTANCE OF THE APPLICATION FOR
FIREFIGHTER MICHAEL J. RODEN TO THE
TIOGA COUNTY HAZ-MAT TEAM*

WHEREAS: The Bureau of Fire provides high quality Hazardous Materials Team support to the Fire Service in Tioga County and adjacent Counties through the NYS Fire Mutual Aid Plan; and

WHEREAS: This service is provided by local, highly trained volunteers; and

WHEREAS: Haz-Mat team member John Scott is deceased, and no longer an active member of the Team; and

WHEREAS: Apalachin Firefighter Michael J. Roden has applied for membership to the County Haz-Mat Team; and

WHEREAS: Firefighter Roden currently possesses training and skills needed by the Tioga County Haz-Mat Team to work at the Entry Level of the Team; and

WHEREAS: Firefighter Roden would replace Firefighter Scott as an active member of the Haz-Mat Team; therefore be it

RESOLVED: That Apalachin Firefighter Michael J. Roden be added to the Tioga County Haz-Mat Team roster to replace Firefighter John Scott.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 252-16 APPROPRIATION OF FUNDS
MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene (TCMH) has been allocated additional pass through state aid funding for the purpose of Ongoing Integrated Supported Employment, Health Home Services, Supported Housing, Warm-Line and Drop-In Center; and

WHEREAS: TCMH has contracted with Rehabilitative Support Services to provide these services to Tioga County residents; and

WHEREAS: TCMH will incur no local share increase, yet this will require an appropriation of funds into the proper account codes; and

WHEREAS: The appropriation of funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4310-434903 State Aid-CSS Rehabilitation	\$2,553.00
To: A4311-540595 Services Rendered(Other)	\$2,553.00
From: A4310-434970 State Aid-Intensive Case Mgmt	\$ 39.00
To: A4321-540590 Services Rendered(Other)	\$ 39.00
From: A4310-434900 State Aid-Mental Health	\$ 66.00
To: A4333-540130 Contracts	\$ 66.00
From: A4310-434910 State Aid-Crisis Intervention	\$ 120.00
To: A4333-540130 Contracts	\$ 120.00

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 254-16

*REQUEST CONTINGENCY FUNDS FOR
PAYMENT OF ARBITRATION AWARD, AMEND
BUDGET AND TRANSFER APPROPRIATION OF
FUNDS TO SHERIFF*

WHEREAS: The PERB opinion and award of Public Arbitration Panel was issued on 11/08/2016 for the Tioga County Law Enforcement Union, Inc. for the 2013-2014 labor contract; and

WHEREAS: Additional funding is needed to comply with all retroactive increases that have been awarded; and

WHEREAS: The Treasurer's Office has determined the collective amount of additional funding needed for the retroactive increases that include salaries, overtime, shift differential, on call, longevity and all associated employee benefits to TCLEU for the period 2013 through 2016; and

WHEREAS: The Treasurer's Office will be making retroactive payments in December 2016 in accordance with the agreement in the amount of \$575,437.00 and has identified remaining funds in the 2016 Budget within the Contingency account totaling \$276,366.00; and

WHEREAS: The remaining amount will need to be appropriated from the General Operating Fund balance in the amount of \$299,071.00; and

WHEREAS: Contingency Requests, Budget Amendments and Appropriation of Funds require Legislative approval; therefore be it

RESOLVED: That funding be transferred and appropriated as follows:

From:		
A1990 540715	Contingency Account	\$276,366.00
A 390900	General Operating Fund	\$299,071.00
To:		
A3110 510010	Sheriff Fulltime Salary	\$428,594.00
A3110 510030	Sheriff Salary Overtime	\$ 24,036.00
A3110 510050	Sheriff Salary –Other	\$ 34,636.00
A3110 581088	Retirement (Pension)	\$ 82,835.00
A3110 583088	FICA & Medicare	\$ 37,276.00
A3110 586088	Health Insurance	\$(31,940.00)

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 255-16 *APPROPRIATION OF FUNDS*
MENTAL HYGIENE

WHEREAS: The Suicide Coalition of Tioga County has raised money through fund raising, gifts and donations; and Tioga County Department of Mental Hygiene is the administrator of these funds; and

WHEREAS: The funding is specifically designated for the purchase of program deliverables; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4322 427051 Gifts and Donations	\$ 73.61
To: A4322 540640 Supplies (Not Office)	\$ 73.61

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO: 256-16 TRANSFER OF FUNDS
PURCHASE OF EQUIPMENT
COUNTY CLERK

WHEREAS: The County Clerk office has need to increase the number of scanners for the Electronic Records Management System; and

WHEREAS: The County ITCS department has approved the purchase; and

WHEREAS: The County Clerk has money in their budget for the purchase of this scanner and such funds need to be moved into an equipment account; therefore be it

RESOLVED: That the County Clerk be authorized to purchase a scanner at a total amount not to exceed \$200.00 and that the following sums be transferred:

From: A1410 - 540520 Recording/Microfilm	\$ 200.00
To; A1410 – 520621 Computer Equipment	\$ 200.00

From:		
A2960 434600	State Aid: Handicapped Education	\$288,332
A2490 540487	Community College Tuition	\$196,260
To:		
A2960 540590	Handicapped Ed: Services Rendered	\$397,302
A2960 540710	Handicapped Ed: Transportation	\$ 87,290

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:	LEGISLATIVE WORKSESSION
RESOLUTION NO. 258-16	<i>FIX TIME OF ORGANIZATIONAL MEETING</i>

RESOLVED: That the Organizational Meeting of this Legislature be held at 1:00 P.M., Thursday, January 5, 2017.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 259-16 YEAR END TRANSFERS

RESOLVED: That unencumbered balances of appropriation accounts, unanticipated revenue fund balances in the amount equal to the sum of overdrawn appropriation accounts in all funds be, and hereby are appropriated to overdrawn accounts; and be it further

RESOLVED: That the County Treasurer is hereby authorized and directed to effect this resolution.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 260-16 AUTHORIZE TREASURER TO ENCUMBER FUNDS

RESOLVED: That the County Treasurer be and hereby is authorized to encumber whatever funds he deems necessary, subject to the approval of the Finance Committee; and be it further

RESOLVED: That said funds be encumbered before December 31, 2016 to allow proper coding of bills for payment in January.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 261-16 *ADOPT COUNTY BUDGET FOR 2017,
APPROPRIATIONS AND SALARY
SCHEDULE*

RESOLVED: That the tentative budget for Tioga County for the year 2017 submitted by the Budget Officer on November 15, 2016 and approved by the Finance Committee be, and the same hereby is adopted as the official Budget for the year 2017; and be it further

RESOLVED: That the several amounts specified in such budget as to the total for the several objects as set forth in Schedule 1 therein be appropriated for such objects, effective January 1, 2017; and be it further

RESOLVED: That the full time Salary Schedule 5 set forth in the budget be adopted effective January 1, 2017.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 262-16 TOWN TAX LEVY

WHEREAS: There has been presented to this Legislature a duly certified copy of the annual Budgets of each of the several Towns of the County of Tioga for the fiscal year beginning January 1, 2017; be it

RESOLVED: That there shall be, and there is, assessed against and levied upon and collected from the taxable property situate in the following Towns outside the incorporated Villages or partially located therein, the amounts indicated for Town purposes as specified in the Budgets of the respective Towns as follows:

<u>Part Town</u>	<u>General Outside</u>	<u>Highway Outside</u>
Barton	-	-
Candor	35,070	249,937
Newark Valley	5,922	9,900
Nichols	-	144,925
Owego	-	2,071,099
Spencer	19,474	452,868

Further

RESOLVED: That there shall be and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore within the respective Fire and Fire protection Districts in the Towns, the following amounts for the purposes of such Districts as specified on their annual Budgets:

Town of Barton	
Halsey Valley Fire Protection	18,632.00
Lockwood Fire Protection	41,132.00
Waverly Joint Fire Protection	269,428.00
Town of Berkshire	
Berkshire Fire District	150,768.00
Town of Candor	
Candor Fire District	434,650.00
Town of Newark Valley	
Newark Valley Fire District	265,128.88

Town of Nichols	
Lounsberry Fire Protection	3,000.00
Nichols Joint Fire Protection	169,990.00
Town of Owego	
Apalachin Fire District	977,519.00
Owego Fire District	1,368,244.00
Newark Valley Fire District	37,781.62
Town of Richford	
Richford Fire District	96,950.00
Town of Spencer	
Spencer Fire Protection District	43,750.00
Town of Tioga	
Tioga Fire District	245,465.00

Further

RESOLVED: That there shall be, and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore within certain sewer, water and lighting Districts in the Town of Owego and the amounts specified in their annual budgets as follows:

Water District No. 4/Ext. 13	11,740
Water District No. 4/Ext. 15	6,259
Water District No. 4/Ext. 17	22,400
Water District No. 4/Ext. 20	20,200
Sewer District No. 2/Ext. 14	12,514
Sewer District No. 2/Ext. 15	12,538
Lighting District No. 1	5,753
Lighting District No. 2	11,523
Lighting District No. 3	11,403
Lighting District No. 4A	652
Lighting District No. 4B	1,815
Lighting District No. 5	7,277
Lighting District No. 6	14,471
Lighting District No. 7	2,005
Lighting District No. 8	1,336
Lighting District No. 9	596
Lighting District No. 10	830

Further

RESOLVED: That there shall be and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore in the Town of Owego returned sewer and water rents in the amount of \$311,261.14; be it further

RESOLVED: That there shall be and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore in the Town of Barton returned sewer and water rents in the amount of \$14,100.13; be it further

RESOLVED: That the amounts to be raised by tax for all other purposes as specified in the several annual Budgets shall be, and they hereby are, assessed against and levied upon and collected from the taxable properties in the Towns except as otherwise provided by law as follows:

<u>Townwide</u>	<u>General</u>	<u>Highway</u>
Barton	200,600	512,500
Berkshire	83,605	338,100
Candor	456,936	736,257
Newark Valley	284,291	352,800
Nichols	64,892	162,450
Owego	885,900	-
Richford	243,616	413,921
Spencer	197,454	257,527
Tioga	243,416	552,306

Further

RESOLVED: That such taxes and assessments, when collected, shall be paid to the Supervisors of the several Towns in the amounts as shown by this resolution for distribution by them in the manner provided by law.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 263-16 COUNTY TAX LEVY

WHEREAS: This Legislature by Resolution No. 261-16 dated December 13, 2016 adopted a Budget for the fiscal year 2017 and by Resolution No. 261-16 dated December 13, 2016 has made appropriations for the conduct of the County Government during said fiscal year and has by resolution No. 262-16 dated December 13, 2016 levied the taxes required for the support of the Government of the several Towns; therefore be it

RESOLVED: That this Legislature hereby levies the following for recycling purposes, upon the taxable real property liable therefore, in the County upon valuation as heretofore equalized by it.

Barton	153,863.01
Berkshire	26,750.75
Candor	100,060.08
Newark Valley	64,693.10
Nichols	58,862.28
Owego	438,192.84
Richford	24,412.76
Spencer	67,152.02
<u>Tioga</u>	<u>89,756.15</u>
Total	1,023,742.99

And be it further

RESOLVED: That pursuant to Section 360 of the County Law and Section 900 of the Real Property Tax Law, this Legislature hereby levied the following for County purposes, excluding Solid Waste set forth above, upon the taxable real property in the County upon valuation as heretofore equalized by it.

Upon all the taxable property liable for the support of County Government, the sum of \$22,049,627.80 and in addition thereto upon the real property liable therefore, and following taxes:

For Returned Village Taxes	519,616.07
For School Tax Returned	3,626,198.99
For Deficits from prior years' taxes	1.56
For Reimbursement of Erroneous taxes, etc.	1,047.61

All of the forgoing being subject to
credit for excess collection the prior year of

33.31

Further

RESOLVED: That the County Treasurer's Department be directed to extend the taxes as aforesaid and also the taxes for Town purposes set forth in Resolution No. 262-16 on the rolls of the several Towns against each parcel of property set forth in said rolls, and that the Chair and the Clerk of the County Legislature be directed and empowered to execute under the seal of this Legislature the several Tax warrants for the collection of said taxes, and to cause the several tax rolls with said warrants annexed to be delivered to the Collectors of the several Tax Districts of the County on or before December 31, 2016; and be it further

RESOLVED: That the tax rates for each of the Towns, excluding Solid Waste, are as follows:

Barton	Out	10.145126
	In	10.145126
Berkshire		8.611668
Candor	Out	8.592739
	In	8.592739
Newark Valley	Out	12.298362
	In	12.298362
Nichols	Out	36.500469
	In	36.500469
Owego	Out	11.320241
	In	11.320241
Richford		6.852557
Spencer	Out	8.989250
	In	8.989250
Tioga		122.937881

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 264-16 *AWARD PAINTING OF THE TIOGA
COUNTY COURT HOUSE COURT
ROOM*

WHEREAS: The Court Room at the Tioga County Court House needs to be painted; and

WHEREAS: This work has been included in the NYS Court System Reimbursement Budget for 2016 - 2017; and

WHEREAS: The Tioga County Commissioner of Public Works requested quotes from three different companies; and only one company provided a quote and due to the fact the work needs to be performed during the Holiday shutdown, time is of the essence; and

WHEREAS: The proposal was received as follows:

HD Painting Company	\$12,740.00
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And

WHEREAS: The Commissioner of Public Works reviewed the proposal; therefore be it

RESOLVED: That the Tioga County Legislature award the painting to HD Painting Company, Endicott, NY not to exceed \$12,740.00 to be paid out of A1620 (Org) 540140 (Object).

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO: 265-16

AUTHORIZING APPLICATION TO THE NEW YORK STATE URBAN DEVELOPMENT CORPORATION AND, SUBJECT TO ITS APPROVAL, ESTABLISHING THE TIOGA COUNTY PROPERTY DEVELOPMENT CORPORATION (TCPDC), A NEW YORK LAND BANK

Pursuant to Article 16 of the Not-For-Profit Corporation Law.

WHEREAS: Addressing the need to strengthen and revitalize local communities, New York State enacted the "Land Bank Act" (Not-For-Profit Corporation Law, Article 16) which authorizes Counties as the Foreclosing Government Unit (FGU) to establish individual or cooperative land banks; and

WHEREAS: Tioga County is a Foreclosing Government Unit and also currently has in place an intergovernmental cooperation agreement with the County Villages to act as their FGU; and

WHEREAS: Land banks are charitable, not-for-profit corporations entitled and authorized to take control and redevelop vacant, abandoned, and/or tax-delinquent properties to rebuild communities and foster local economic development; and

WHEREAS: Vacant and abandoned properties present a danger to the health and safety of local residents, result in costs and loss of revenues to local governments, and discourage further investment in the community; and

WHEREAS: The Tioga County Property Development Corporations' (TCPDC) mission will be to foster economic and community development by acquiring, holding, managing, developing and marketing distressed, vacant, abandoned and underutilized residential and commercial properties; and

WHEREAS: The TCPDC will have the authority to acquire, redevelop, and improve tax delinquent, vacant or abandoned property, thereby providing a mechanism for municipalities to manage blighted properties and convert them to productive uses; and

WHEREAS: Said TCPDC would acquire properties through a variety of means including the conveyance of property directly by the foreclosing governmental unit as part of a tax foreclosure, purchase of the property or purchase the tax lien on a property; and

WHEREAS: The TCPDC shall not have eminent domain powers; and

WHEREAS: Said TCPDC could secure grant funding, issue bonds, enter into contracts, implement programs, projects and activities designed to create or stimulate economic and community development, among other delineated duties and responsibilities, which would allow the foreclosing governmental unit to take a more long-term approach to the disposition of its tax delinquent properties; and

WHEREAS: Pursuant to the Land Bank Act, it is necessary to adopt a resolution establishing the Tioga County Development Corporation, a New York Land Bank on behalf of the County; and

WHEREAS: The bylaws shall provide that any amendments to the bylaws regarding the number, term, or qualifications of members of the Board, shall require the approval of the Tioga County Legislature; now therefore be it

RESOLVED: That the Tioga County Legislature does hereby authorize Economic Development and Planning to apply to the New York State Urban Development Corporation for approval of the establishment of a New York Land Bank pursuant to Article 16 of the New York Not-For-Profit Corporation Law; and it is further

RESOLVED: That subject to the approval of the New York State Urban Development Corporation, there is hereby created a land bank on behalf of the County of Tioga, to be known as the "Tioga County Property Development Corporation" (TCPDC), a New York Land Bank; and it is further

RESOLVED: That the Board of Directors shall consist of seven (7) members as follows:

Martha C. Sauerbrey, Chair of the Legislature (3 yr. term),
Dale N. Weston, Chair, T.C. Economic Development & Planning Committee (3 yr. term)
Ralph Kelsey, T.C. Industrial Development Agency Board Member (3 yr. term)
Steve May, Mayor, Village of Owego Municipal Representative (2 yr. term)
Chris Brewster, Village Trustee, Village of Waverly Municipal Representative (2 yr. term)
Lewis Zorn, Supervisor, Town of Tioga Municipal Representative (2 yr. term)
Stuart Yetter, Supervisor of Town of Newark Valley Municipal Representative (2 yr. term)

and it is further

RESOLVED: That each member shall be a public officer of a municipality (or a member of a County agency) within Tioga County. Each member of the Board of Directors shall be appointed by a majority vote of the Tioga County Legislature.

4. That the Certificate of Incorporation for the TCPDC shall include the names and addresses of the initial Board of Directors as stated above and shall be in substantially the same form as attached to this resolution and hereby approved. The Articles of Incorporation and thereafter the bylaws shall comply with all the legal requirements of the Not-For-Profit Corporation Law relating to land banks.

5. That the bylaws of the TCPDC shall be written by and adopted by the TCPDC Board of Directors following the TCPDC's organizational meeting.

6. To the extent permitted by law, the Tioga County Legislature retains the authority to approve or deny, on a case by case basis, the turnover or transfer of any real property in the portfolio of Tioga County to the TCPDC.

7. That the terms and conditions of such turnover or transfer shall be attached to the resolution of the Tioga County Legislature authorizing such turnover or transfer.

8. That the Legislative Chair, be and hereby is, authorized to execute any and all documentation necessary for filing and incorporation with the State of New York to establish said corporation.

9. That the County Attorney is further directed to conform the applicable documents, including the Certificate of Incorporation, and file this resolution with the Urban Development Corporation pursuant to the provisions of the Land Bank Act, Chapter 257 of the Laws of 2011.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 266-16 *RESOLUTION TO APPROVE A
MAINTENANCE AGREEMENT
BETWEEN THE TIOGA COUNTY
PROBATION DEPARTMENT AND
AUTOMON TO PROVIDE SOFTWARE AND
MAINTENANCE OF THE CASELOAD
EXPLORER PRODUCT*

WHEREAS: The Legislature approved a contract between Tioga County Probation Department and AutoMon since 2008; and

WHEREAS: AutoMon has submitted their yearly Maintenance Agreement to Tioga County Probation which consists of the base charge of \$3,834.99 plus a fee of \$187.81 per user. Probation has 17 registered users of the software so the total cost for the software for 2016 is \$7,027.76; and

WHEREAS: Tioga Probation is enlarging the basic software program in 2017, to include the purchase and maintenance of Ce Assessments in the amount of a one-time set up fee of \$1,000 plus \$5,000 in annual subscription; therefore be it

RESOLVED: That the Probation Director is approved to contract with AutoMon, LLC for software and maintenance costs in 2017 for Caseload Explorer software in the amount of \$13,027.76, upon approval of the County Attorney.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 267-16 *RESOLUTION TO APPROVE A CONTRACT BETWEEN THE TIOGA COUNTY PROBATION DEPT. AND THE FAMILY AND CHILDREN'S SOCIETY TO PROVIDE ADULT AND JUVENILE SEXUAL OFFENDER TREATMENT SERVICES*

WHEREAS: The Legislature approved a contract between Tioga County Probation Department and The Family and Children's Society for the provision of adult and juvenile sex offender treatment in 2016; and

WHEREAS: The Family and Children's Society has agreed to amend their contract with Tioga County and provide a total of 21 sexual offender slots as follows: 15 adult assessment and treatment slots; 10 adult safety monitor education slots; 6 juvenile assessment and treatment slots and 10 parent safety monitor education slots for a cost of \$123,840 annually; now therefore be it

RESOLVED: That the Probation Director is approved to contract with The Family and Children's Society to provide adult sexual offender assessment and treatment, juvenile sexual offender assessment and treatment and educational sessions for adult supervisors and parent supervisors in the amount of \$123,840 annually, upon approval of the County Attorney.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: LEGAL/SAFETY COMMITTEE

RESOLUTION NO. 268-16 RENEW CONTRACT
 PARTNERS IN SAFETY, INC.
 (CDL DRUG & ALCOHOL TESTING)

WHEREAS: Federal Law requires random drug and alcohol testing of CDL drivers performing “safety sensitive” tasks; and

WHEREAS: The Safety Department has coordinated with several of the Towns and Villages within Tioga County to have this testing done by an outside agency since 1995; and

WHEREAS: The FMCSA (Federal Motor Carrier Safety Administration has reduce its random drug testing rate from 50% to 25% and a price reduction from \$43.00 to \$35.00 per employee is reflected in the contract proposal for 2017; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature, pending approval by the County Attorney, to renew the contract with Partners in Safety, Inc. for random drug and alcohol testing in accordance with Federal regulations at the following rates indicated:

Complete DOT Random Testing Program \$35.00 Per Employee Per Year

To Include:

- Random Selection of Employees (25% for drug, 10% for alcohol)
- All Random Drug & Alcohol Tests
- Record Management
- DOT Audit Assistance
- Regulatory Updates
- Blind Specimen Submissions
- MIS Reports
- Supervisor Training for Reasonable Cause
- Collection Site Management

ADDITIONAL CHARGES: For pre-employment, post-accident, reasonable cause or follow-up tests performed during business hours:

Drug Test (at lab or office of Partners in Safety):	\$48.00 per test
Drug Test (at Walk-In Medical Facilities, Hospitals, etc.):	\$75.00 per test
Breath Alcohol Test:	\$40.00 per test

DOT/19A Physicals (at the office of Partners in Safety): \$55.00 per person
 Emergency Service \$150 per hour
 Minimum 2 hours
 plus the cost of the test

Split Specimen Testing (re-test of positive specimen by other SAMHSA certified lab, including shipping and maintenance of chain of custody; only when requested by employee within 72 hours of MRO's notification): \$250.00

On-site 19A/DOT physicals available upon request (minimum volume required).

Additional services are billed monthly. Payment is due prior to the 30th of the month following the month in which services were provided.

and be it further

RESOLVED: That this contract shall be effective January 1, 2017 through December 31, 2017.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 269-16 *AUTHORIZATION TO EXECUTE AN INTERMUNICIPAL AGREEMENT BETWEEN TIOGA AND CHEMUNG COUNTIES FOR THE PROVISION OF MASS TRANSPORTATION SERVICES*

WHEREAS: Tioga County terminated its contract for the delivery of mass transportation services with First Transit, Inc. effective November 30, 2014; and

WHEREAS: Chemung County and Tioga County have a mutual interest in having mass transportation services provided between the two Counties; and

WHEREAS: Section 119-s of the General Municipal Law of the State of New York authorizes a municipality of the State of New York to act jointly with another municipality to provide a municipal bus system for the performance of mass transportation operations; and

WHEREAS: An Intermunicipal Agreement between Tioga and Chemung Counties for the provision of said mass transportation operations between the two parties was approved by the Tioga County Legislature on December 15, 2015, via Resolution Number 302-15 ; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to extend said Intermunicipal Agreement through December 31, 2017.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. 270-16

*RESOLUTION TO RENEW CONSULTANT
CONTRACT FOR HAZARD MITIGATION PLAN
COORDINATOR FOR 2017*

WHEREAS: Per resolution 193-12 and resolution 218-13, the Tioga County Legislature contracted with the Tioga County Soil & Water Conservation District to perform the Hazard Mitigation Plan Coordinator services for calendar year 2013 based on a mutually agreeable work plan with specific tasks; and

WHEREAS: The Tioga County Planning Department still does not have the existing capacity to perform these FEMA-required services; and

WHEREAS: The Tioga County Planning Department has sufficient funds in the 2017 budget to cover these expenses, in the amount of \$25,000 from Planning appropriation account A8020 540140; therefore be it

RESOLVED: That the Tioga County Legislature does hereby authorize the renewal of said contract with Tioga County Soil & Water Conservation District, to perform Hazard Mitigation Coordinator services from January 1 - December 31, 2017, not to exceed \$25,000 from Planning Appropriation account A8020 540140, and authorizes the Tioga County Legislative Chair to sign all related contract paperwork, contingent upon review and approval of the County Attorney.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. 271-16

*RESOLUTION FOR CONSULTANT CONTRACT
FOR AG & FARMLAND PROTECTION PLAN
IMPLEMENTATION SERVICES 2017*

WHEREAS: Per resolution 125-15, the Tioga County Legislature adopted the County Agricultural and Farmland Protection Plan Update of 2015, which was subsequently approved by the Commissioner of the Department of Agricultural & Markets with encouragement to establish a centralized and coordinated means of implementing the plan, particularly with some kind of Agricultural Economic Development position, and mutually agreeable work plan with specific tasks; and

WHEREAS: The Tioga County Planning Department does not have the existing capacity to perform these Plan implementation services; and

WHEREAS: The Tioga County Economic Development & Planning Department has sufficient funds in the 2017 budget to cover these expenses, in the amount

of \$25,000 from Economic Development appropriation account A6422 540140; therefore be it

RESOLVED: That the Tioga County Legislature does hereby authorize said contract with Cornell Cooperative Extension Tioga County, to perform Agricultural & Farmland Protection Plan implementation services from January 1 - December 31, 2017, not to exceed \$25,000 from Economic Development Appropriation account A6422 540140, and authorizes the Tioga County Legislative Chair to sign all related contract paperwork, contingent upon review and approval of the County Attorney.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 272-16 *AUTHORIZE CONTRACT RENEWAL
CSEA EMPLOYEE BENEFIT FUND*

WHEREAS: Resolution #276-11 authorized a contract with CSEA Benefit Fund to administer Solstice Vision and Dental plans for CSEA and Non-Union employees; and

WHEREAS: The Dental and Vision plans are contractual benefits for CSEA employees, to be continued for 2017; therefore be it

RESOLVED: That the Chair of the Legislature is hereby authorized to sign a contract, subject to review by the County Attorney, with CSEA Employee Benefit Fund for the purpose of facilitating the Solstice Dental and Solstice Vision plans for the period of January 1, 2017 – December 31, 2017.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO:

PERSONNEL COMMITTEE

RESOLUTION NO. 273-16

*AUTHORIZE CONTRACT FOR
BACKGROUND CHECKS
(PERSONNEL)*

WHEREAS: The Information Security Policy adopted in October 2015 contains a requirement that all new hires as of January 1, 2016 have a background check conducted; and

WHEREAS: The Personnel Department will coordinate the background checks being conducted pre-employment by an outside agency; and

WHEREAS: There is interest in contracting with a local agency for these services in order to expedite the process and avoid unnecessary delays in the hiring process; and

WHEREAS: Evolution Consulting, LLC (EVOCON) has a proven track record for providing quality service at a reasonable price; therefore be it

RESOLVED: That the Chair of the Legislature is hereby authorized to enter into a contract with EVOCON to continue conducting background checks for 2017 upon approval by the County Attorney; and be it further

RESOLVED: That said contract shall be in effect January 1, 2017 – December 31, 2017.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 274-16 AMEND POLICY 16
COUNTY HOURS

WHEREAS: County Policy 16 County Hours needs to be amended due to the Sixth Judicial Court hours changing effective January 3, 2017 from 8:30 a.m. to 4:30 p.m.; and

WHEREAS: County offices located at Court Street will be affected by the change in hours and Policy 16 needs to be amended to reflect those changes; therefore be it

RESOLVED: That Policy 16 County Hours be amended as follows:

“County offices are open from 9 a.m. to 5 p.m. with the exception of the County Offices located at Court Street whose entrance hours to the public are 9:00 a.m. to 4:30 p.m.”

And be it further

RESOLVED: That the remainder of Policy 16 County Hours shall remain in full force and effect.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO PERSONNEL COMMITTEE

RESOLUTION NO. 275-16 AMEND COUNTY POLICY 44;
NON-UNION BENEFITS

WHEREAS: Resolution #204-16 amended Policy 44 based on new Fair Labor Standard Act regulations to take effect December 1, 2016; and

WHEREAS: A temporary nationwide injunction has been placed against the change in FLSA regulations; and

WHEREAS: Policy 44 needs updating to reflect 2017 health insurance contributions as well as a new benefit available as of January 1, 2017; therefore be it

RESOLVED: That the changes made to Policy 44 via Resolution 204-16 are hereby rescinded; and be it further

RESOLVED: That *Section 5: Health & Dental Insurance Employee Contributions* shall have the 2017 column completed to reflect the same percentages as in the 2016 column; and be it further

RESOLVED: That paragraph 10 of Section 5 which addresses the Health Reimbursement Accounts shall be changed to have "For 2012-2016" deleted; and be it further

RESOLVED: That *Section 2C-Sick Time* shall be amended so that the sixth bullet reads:

"Upon retirement directly into the NYS & Local Employees Retirement System, a portion of an employee's accumulated unused sick days may be counted as additional service credit, in accordance with Section 41j of Retirement Law. If upon retirement an employee qualifies to carry Tioga County health insurance into retirement and has more sick days accrued than can be applied under Section 41j, the employee may apply the remaining sick days (whole days only) toward payment of their Tioga County retiree health insurance contributions. For each sick day over the Section 41j allowance, the employee shall receive one credit, and each credit can be used to reduce their contribution by \$100. **The credit otherwise has no cash value.** This credit will be applied toward the retiree's contributions toward

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PERSONNEL COMMITTEE
LEGISLATIVE COMMITTEE

RESOLUTION NO. 277-16 *AMEND RESOLUTION #309-14; INCREASE PART-TIME, SEASONAL AND TEMPORARY RATES*

WHEREAS: Resolution #309-14 increased hourly rates for part-time, seasonal and temporary positions in 2015; and

WHEREAS: The County Legislature believes these rates deserve to be adjusted again for 2017; therefore be it

RESOLVED: That resolution #309-14 is hereby amended that effective January 1, 2017 all part-time, seasonal and temporary hourly rates shall be increased by 2%.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Huttleston moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 278-16 *AUTHORIZE 2017 SALARIES (BOARD OF ELECTIONS)*

WHEREAS: The salaries for employees of the Board of Elections are set by resolution; and

WHEREAS: Non-Union staff have been authorized a salary increase for 2017; therefore be it

RESOLVED: That the 2017 rates of pay for the Board of Elections staff shall be as follows:

	<u>2017 pay:</u>
Commissioners (2)	\$40,953
Deputy Commissioners (2)	\$33,161
Voting Machine Technicians (2)	\$16.52/hr
Election Workers (4)	\$12.64/hr

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 279-16 *AUTHORIZE REAPPOINTMENT OF PUBLIC HEALTH DIRECTOR (PUBLIC HEALTH)*

<u>Name:</u>	<u>Current Title/ Salary Grade</u>	<u>New Title/ Salary Grade</u>	<u>Budget Impact</u>
Vacant		Clerk (Seasonal) effective 5/15/17-9/1/17	\$5,600

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 281-16 *2017 STAFF CHANGES
(REAL PROPERTY)*

WHEREAS: Real Property requested staffing changes as part of the 2017 budget process; and

WHEREAS: Those changes were approved by the County Legislature; therefore be it

RESOLVED: That the following staffing changes are effective January 1, 2017:

<u>Name:</u>	<u>Current Title/ Salary Grade</u>	<u>New Title/ Salary Grade</u>	<u>Budget Impact:</u>
Vacant	Real Property Tax Service Technician (PT)	Unfunded	-\$14,126

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 282-16 *2017 STAFF CHANGES
(SOCIAL SERVICES)*

WHEREAS: The Department of Social Services requested staffing changes as part of the 2017 budget process; and

WHEREAS: Those changes were approved by the County Legislature; therefore be it

RESOLVED: That the following staffing changes are effective January 1, 2017:

<u>Name:</u>	<u>Current Title/ Salary Grade</u>	<u>New Title/ Salary Grade</u>	<u>Budget Impact:</u>
Vacant		Caseworker (Grade 11)	\$40,790

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 283-16 ABOLISH ONE (1) FULL-TIME
TYPIST AND CREATE ONE (1) FULL-TIME
ADMINISTRATIVE ASSISTANT POSITION
PUBLIC HEALTH DEPARTMENT

WHEREAS: Legislative approval is required for the abolishment and creation of any new position within Tioga County; and

WHEREAS: A Typist position, CSEA salary grade III (\$23,909-\$24,609) has been vacant within the Public Health Department since April 16, 2016; and

WHEREAS: The Public Health Director has submitted a new position duties statement to the Personnel Department for review and classification of the tasks she would like to have assigned to said vacancy; and

WHEREAS: Upon review of said information, the Personnel Officer has determined an appropriate classification; therefore be it

RESOLVED: That the vacant, full-time Typist position shall be abolished and a full-time Administrative Assistant position, CSEA salary grade VII (\$32,697-\$33,397), shall be created effective December 14, 2016.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 284-16 *AUTHORIZE ABOLISHMENT OF VACANT
SUPPORT INVESTIGATOR; RECLASSIFY
SENIOR ACCOUNT CLERK TYPIST TO
PRINCIPAL ACCOUNT CLERK
(SOCIAL SERVICES)*

WHEREAS: Legislative approval is required for the abolishment and creation of any new position within Tioga County; and

WHEREAS: A Support Investigator position, (CSEA salary grade VII, \$32,697-33,397) has been vacant within the Department of Social Services since November 30, 2016 and there is no intent to fill said vacancy; and

WHEREAS: The Commissioner of Social Services has requested a review of duties for Doreen Holbrook, Senior Account Clerk-Typist (CSEA salary grade V, \$26,713-27,413), and the Personnel Officer has determined that the employee is performing duties outside of her present classification; therefore be it

RESOLVED: That one vacant Support Investigator position be abolished effective December 14, 2016; and be it further

RESOLVED: That Doreen Holbrook shall be reclassified from Senior Account Clerk Typist to Principal Account Clerk (CSEA salary grade VII) from the current civil service eligible list effective December 14, 2016; and be it further

RESOLVED: That said reclassification shall result in an increase of \$5,984 and Ms. Holbrook's new annual salary shall be \$33,413 effective December 14, 2016.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 285-16 APPOINT SECRETARY TO COMMISSIONER
OF SOCIAL SERVICES; AUTHORIZE NON-UNION
SALARY

WHEREAS: Legislative approval is required for all non-union appointments; and

WHEREAS: Judy Westmiller will retire as Secretary to Commissioner of Social Services effective on December 31, 2016; and

WHEREAS: Heather Quick-Anderson is able and willing to backfill this vacancy by promotion from her Principal Account Clerk position (CSEA, competitive classification) into a Non-Union, exempt classified position; and

WHEREAS: Due to the non-union salary range for secretarial positions at this level, Ms. Quick-Anderson would incur a decrease in salary under the formula currently used to determine the step from Union to Non-Union salary; therefore be it

RESOLVED: That the Commissioner of Social Services be authorized to appoint Ms. Quick-Anderson to the position of Secretary to Commissioner of Social Services effective January 2, 2017 at the annual salary of \$35,381, which is reflective of a \$1,500 increase over her January 2, 2017 salary as a Principal Account Clerk.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 286-16 ADOPT LOCAL LAW NO. 1 OF 2016

WHEREAS: A public hearing was held on December 7, 2016, following due notice thereof to consider the adoption of Local Law Introductory No. A of the Year 2016 A Local Law amending Local Law No. 1 of the year 1956 to provide for Administration and Contract authority for the Tioga County Self-Insurance Plan; and

WHEREAS: It is in the best interests of the residents of Tioga County to adopt such Local Law which will Local Law No. 1 of 2016; therefore be it

RESOLVED: That the following Local Law be and hereby is adopted;

County of Tioga

Local Law No. 1 of the Year 2016.

A Local Law amending Local Law No. 1 of the year 1956 to provide for Administration and Contract authority for the Tioga County Self-Insurance Plan.

Be It Enacted by the Legislature of the County of Tioga as follows:

SECTION 1:

Local Law No. 1 of 1956, Sections 3 and 4 are hereby amended to read as follows:

Section 3:

The Tioga County Self-Insurance Plan shall be administered by the Personnel Officer and Benefits Manager, and overseen by the Tioga County Legislature.

Section 4: Contract Authority

The Administrators, subject to approval of the County Legislature, may contract for such services as deemed necessary for the operation and administration of the plan.

SECTION 2. SEVERABILITY

If any clause, sentence, paragraph subdivision, section or part of this law or the application thereof to any person, individual corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 3. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State.

And be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed, pursuant to Local Law No. 4 of 1992, to cause to be published in the official newspapers of the County of Tioga a synopsis of such Local Law, such synopsis to be within ten days after adoption of the Local Law; and be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed within five days after adoption of such Local Law to cause the Local Law to be filed as required by the Municipal Home Rule Law Section 27.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO:

PERSONNEL COMMITTEE

RESOLUTION NO. 287-16

ADOPT LOCAL LAW NO. 2 OF 2016

WHEREAS: A public hearing was held on December 7, 2016, following due notice thereof to consider the adoption of Local Law Introductory No. B of the Year 2016 A Local Law to amend the Rules and Regulations for the Administration of the Tioga County Self-Insurance Plan for Workers' Compensation, which will amend Local Law No. 2 of the Year 1956, as amended by Local Law No. 1 of the Year 1959, as amended by Local Law No. 1 of the Year 1963, as amended by Local Law No. 2 of the Year 1975, as amended by Local Law No. 1 of the Year 1976, as amended by Local Law No. 5 of the Year 1976, as amended by Local Law No. 5 of the Year 1977, as amended by Local Law No. 2 of the Year 1980, as amended by Local Law No. 6 of the Year 1984, as amended by Local Law No. 2 of the Year 1985, as amended by Local Law No. 3 of the Year 1990, as amended by Local Law No. 2 of the Year 2015; and

WHEREAS: It is in the best interests of the residents of Tioga County to adopt such Local Law which will Local Law No. 2 of 2016; therefore be it

RESOLVED: That the following Local Law be and hereby is adopted;

County of Tioga

Local Law No. 2 of the Year 2016.

A Local Law to amend the Rules and Regulations for the Administration of the Tioga County Self-Insurance Plan for Workers' Compensation, which will amend Local Law No. 2 of the Year 1956, as amended by Local Law No. 1 of the Year 1959, as amended by Local Law No. 1 of the Year 1963, as amended by Local Law No. 2 of the Year 1975, as amended by Local Law No. 1 of the Year 1976, as amended by Local Law No. 5 of the Year 1976, as amended by Local Law No. 5 of the Year 1977, as amended by Local Law No. 2 of the Year 1980, as amended by Local Law No. 6 of the Year 1984, as amended by Local Law No. 2 of the Year 1985, as amended by Local Law No. 3 of the Year 1990, as amended by Local Law No. 2 of the Year 2015.

Be It Enacted by the Tioga County Legislature of the County of Tioga, as follows:

SECTION 1:

This Section amends the Rules and Regulations for the Tioga County Self-Insurance Plan for Workers' Compensation.

A. Participation

In addition to the County, participation in the plan shall be available to the Tioga County Soil and Water Conservation District, all of the towns and villages located within the geographical boundaries of Tioga County, and active volunteer firefighters pursuant to provisions of New York State Workers' Compensation Law Section 63.

B. Entry and Withdrawal and Payment of Outstanding Liabilities

New Participants as defined in Paragraph A hereof and other than those in the Plan at the time of its adoption, shall be admitted as of January first, following the date of application for participation; provided, however, that a certified copy of a resolution of the governing body of the applicant shall be filed with the Administrators by the preceding July first.

A participant may withdraw from the plan effective at the end of a fiscal year by filing with the Administrators on or before the preceding July first a certified copy of a resolution of its governing body electing to withdraw from the plan.

As a condition of withdrawal from the Plan, the participant must enter into a withdrawal agreement with Tioga County and must agree to pay in a lump sum or the Administrators may, subject to the approval of the County Legislature, permit such payment to be made in installments, an equitable share of the outstanding liabilities of the Plan as of the date of withdrawal. If payment of the equitable share of the outstanding liabilities of the Plan is to be made in installments, an installment payment plan and other necessary terms and conditions shall be set forth in the withdrawal agreement. For purposes of this paragraph, the phrase "equitable share of outstanding liabilities of the Plan" shall mean all of those current and open compensation cases originating from the participant and included in the Plan on or before the effective January 1st of the participant's withdrawal from the Plan, and all those compensation cases originating from the participant which are closed as of the date of withdrawal but which in the judgement of the Administrators are likely to be re-opened after the January 1st withdrawal date. The Administrators shall hire an actuary to obtain an actuarial assessment in order to determine the withdrawing participant's equitable share of the outstanding liabilities.

C. Apportionment of Costs

Each participant shall be liable to pay their proportionate share of the cost of participation in the Plan, including all administrative costs and expenses, using the following formula:

Thirty-five percent (35%) shall be apportioned to each participant in the proportion that the full valuation of its taxable real property bears to the aggregate full valuation of all participants. The county's proportionate share

shall include the total full valuation of all towns within Tioga County including those who may not be participating in the self-insurance plan.

Thirty-five percent (35%) shall be based on the proportion each participant's gross annual payroll bears to the total payroll of all participants, using the total payroll from the last full calendar year immediately preceding issuance of the bills (example, use 2015 payroll for 2017 bills).

Thirty percent (30%) shall be based on the proportion that each participant's claims utilization bears in relation to the aggregate losses of the Plan. Claims utilization includes any payments made related to the claim(s) for a participant's employee(s). A five consecutive year claim utilization average will be used for each participant, to be phased in by using a four consecutive year claim utilization average for 2017 bills. Starting in 2018 and thereafter five consecutive year claim utilization will be used.

D. Payment by Participants

Each participant will receive their annual bill for the fiscal year at the start of the fiscal year. Each participant shall pay the County Treasurer half of their annual bill by January 31 of the current year and the remaining half of the bill by July 31 of the current year.

E. Reserve

A reserve of \$6,000,000.00 is hereby established for the Plan. Such amount may be accumulated by the inclusion in each annual estimate a sum not exceeding 2% of the total annual estimate, or by the transfer to said reserve of surplus funds in the fund balance, or by the addition to said reserve of income earned from the investment of the funds in such reserve, or by such combination of said methods as the Administrators may deem proper.

When the amount of the reserve is at a maximum, any amount expended therefrom shall be restored by one or more of the aforesaid methods, as Administrators may deem proper.

F. Duties of Plan Participants

Participants in the plan hereby established shall be subject to the following standards, conditions, rules and regulations:

1. Participants shall cooperate fully with the Administrators in the administration of the plan, and shall prepare and file with the Administrators such reports and information as may be requested.
2. Each participant shall maintain a record of all injuries received by employees in the course of their employment. Reports of accidents shall be filed promptly to the Administrators of the plan.

3. Participants shall promptly furnish all pertinent information relative to any claim, and shall aid in the investigation of any claim.
4. The Administrators shall report to the Legislature failure of a participant to file required reports and the Legislature may take such action as it deems proper as provided herein.
5. Each participant shall develop and enforce a safety program or programs designed for the reasonable and adequate protection of the lives, health, and safety of employees.
6. The Administrator may submit to the County Legislature a list of positions of employment for which medical examinations shall be required together with medical standards for each position. Each participant shall require an employee appointed to a position on such list to have a medical examination prior to employment, except in an emergency; in which event, a medical examination shall be made as soon after the date of employment as is practical. The cost of such examination shall be an expense of the plan. Employment will be contingent upon successful passing of the medical examination.

G. Excess or catastrophe insurance

The Administrators, subject to approval of the County Legislature, may, on behalf of the plan, purchase excess or catastrophe insurance, the cost of such insurance being an administrative expense of the plan.

H. Expulsion

The Legislature may by resolution expel a participant for failure to observe the rules and regulations adopted, or for any violation of the provisions of the NYS Workers' Compensation Law. That participant shall be notified in writing, at least 60 days prior to the effective date of expulsion, and such expulsion shall not relieve a participant from paying its share of the outstanding liabilities of the plan at the date of expulsion.

SECTION 2. SEVERABILITY

If any clause, sentence, paragraph subdivision, section or part of this law or the application thereof to any person, individual corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 3. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State.

And be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed, pursuant to Local Law No. 4 of 1992, to cause to be published in the official newspapers of the County of Tioga a synopsis of such Local Law, such synopsis to be within ten days after adoption of the Local Law; and be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed within five days after adoption of such Local Law to cause the Local Law to be filed as required by the Municipal Home Rule Law Section 27.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 288-16 ADOPT LOCAL LAW NO. 3 OF 2016

WHEREAS: A public hearing was held on December 7, 2016, following due notice thereof to consider the adoption of Local Law Introductory No. C of the Year 2016 A Local Law amending Local Law No. 3 of 1978 which provides for filling a vacancy in the office of the Tioga County Legislature; and

WHEREAS: It is in the best interests of the residents of Tioga County to adopt such Local Law which will be Local Law No. 3 of 2016; therefore be it

RESOLVED: That the following Local Law be and hereby is adopted;

County of Tioga

Local Law No. 3 of the Year 2016.

A Local Law amending Local Law No. 3 of 1978 which provides for filling a vacancy in the office of the Tioga County Legislature.

Be It Enacted by the Legislature of the County of Tioga as follows:

SECTION 1. In the event of a vacancy in the office of the Tioga County Legislature at any time other than the expiration of a term of office, such vacancy may be filled by appointment made by a majority of the remaining members of the Tioga County Legislature.

SECTION 2. Such person appointed by the Tioga County Legislature pursuant to this local law shall enter upon and faithfully discharge the duties of the office until such time as the office is filled as a result of a general election as provided by law.

SECTION 3. EFFECTIVE DATE:

This local law shall become effective immediately upon filing with the Office of the Secretary of State.

SECTION 4. SEVERABILITY:

If any clause, sentence, paragraph subdivision, section or part of this law or the application thereof to any person, individual corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

And be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed, pursuant to Local Law No. 4 of 1992, to cause to be published in the official newspapers of the County of Tioga a synopsis of such Local Law, such synopsis to be within ten days after adoption of the Local Law; and be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed within five days after adoption of such Local Law to cause the Local Law to be filed as required by the Municipal Home Rule Law Section 27.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell made a motion to have the following late-filed resolution considered, seconded by Legislator Hollenbeck and carried.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 289-16 AUTHORIZE SALE OF LYNN RHODES AND TERRY RHODES PROPERTY LOCATED IN THE TOWN OF TIOGA, TO HORIZON TRANSPORT AND/OR ASSIGNS

WHEREAS: Property located in the Town of Tioga assessed to Lynn Rhodes & Terry Rhodes, identified as Tax Map number 117.11-2-11, parcel number 958, owes 2014, 2015 & 2016 taxes and is past the last date of redemption; and

WHEREAS: BJKJ, LLC was the closing bidder with \$4,200 deposit paid at the Foreclosure Auction held on August 4, 2016 and has defaulted by not appearing at closing with forfeiture of the \$4,200 and the second bidder passed on buying said property; and

WHEREAS: The Treasurer has held a Public Auction on December 11, 2016 and the winning bidder is Horizon Transport hereby making an offer to purchase said property for \$9,500, "as is", thereby placing the property back on the tax rolls; be it therefore

RESOLVED: That the County rescinds its previous resolution to sell said property to BJKJ, LLC., the closing bidder with \$4,200, paid at the Foreclosure Auction held on August 4, 2016, by Default of Appearance at closing, with forfeiture of the \$4,200; and be it further

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$9,500 and recording costs, a Quit Claim Deed conveying the property assessed to Lynn Rhodes & Terry Rhodes, located in the Town of Tioga identified on the Town of Tioga Tax Map as number 117.11-2-11, parcel number 958, to Horizon Transport and/or assigns.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 6:38 P.M.

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